



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:19 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

**ATTENDANCE:**

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

EXCUSED: MEMBERS GOYNES AND EVANS

STAFF PRESENT: MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., RICK SCHRODER - PUBLIC WORKS, GINA VENGLASS – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE, DEENY ARAUJO – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE, LEAN COLEMAN – CITY CLERK'S OFFICE

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development Department, referenced the following items that were requested to be tabled, withdrawn without prejudice or held in abeyance.

Item 1 [TMP-3624]	Table
Item 3 [TMP-3974]	Withdraw Without Prejudice
Item 4 [TMP-3991]	Table
Item 19 [SUP-3907]	Table
Item 20 [VAR-4032]	Table
Item 21 [ZON-3794]	Abeyance to 5/13/2004 Planning Commission meeting
Item 22 [SDR-3796]	Abeyance to 5/13/2004 Planning Commission meeting

MR. CLAPSADDLE stated that the One Motion/One Vote letters and signatures were received from applicants agreeing to the conditions. He further indicated that Item 8 [ZON-3708] and Item 17 [VAC-3861] would need to be moved from One Motion/One Vote due to the receipt of written protests. In addition, Item 13 [SUP-3961], would need to be moved from One Motion/One Vote since the applicant wants to discuss Condition Number 6 pertaining to the sale of individual containers.

# City of Las Vegas

## PLANNING COMMISSION MEETING OF APRIL 8, 2004 Planning and Development Department Briefing

### **MINUTES – Continued:**

Item 44 through Item 47 – [VAR-4001], [ZON-3998], [WVR-4002] and [SDR-3999]: MR. CLAPSADDLE explained that an abutting property owner requested that these items be held in abeyance because he was unable to meet with the developer to discuss the four-lot project. Staff spoke with the developer, who tried to contact that protester in order to meet before tonight's meeting. He suggested that the Commission might want to pull this item forward to see if the developer and the protester have met.

Item 58 [TMP-3791]: This is an addendum item for approval of a Tentative Map and there is a issue related to trails. In addition, the applicant may request it be moved forward due to scheduling conflicts.

GINA VENGLASS, Public Works Department, indicated that she would be correcting a mistake for Condition Number 1 on Item 10 [VAC-3932]. On Item 58 [TMP-3791] she received a late telephone call about Condition Number 16 regarding the sewer. She believes that she revised the condition to be acceptable to the applicant. However, she did not receive a confirmation from the applicant. MR. CLAPSADDLE discussed with MS. VENGLASS that this item could be brought forward for discussion since it is not a consent item.

MR. CLAPSADDLE explained that the protest list indicates that nine protests were received for Items 28, 29, and 30, seven late protests for Items 39, 40 and 41, one approval letter for Items 42 and 43, and four protests on Item 8. There were also one protest for Item 17 and one approval for Item 15.

Regarding Item 17 [VAC-3861], COMMISSIONER McSWAIN asked MR. CLAPSADDLE what happens to the 20-foot wide public trail easement. MR. CLAPSADDLE replied that the plan amendment to remove this from the trails element has already been adopted. Therefore, this trail no longer exists. There is only a small point of it that turns west at the top that is right-of-way that would revert back to that property owner, but the vast majority is already an easement, which is already held privately. She asked why on Item 18 [VAC-3926] the applicant did not include with a Site Development Plan Review with the Vacation request. MR. CLAPSADDLE replied that this Vacation has been approved a couple of times before and has expired. The difference is, unlike the other vacations, staff does not have a site plan available for what will actually occur. There is a condition on the Vacation that it cannot be recorded until the Commission sees it at a public hearing. There always has been a thought that there would be some outdoor seating and restaurants within a pedestrian friendly plaza.

**MEETING ADJOURNED AT 5:26 P.M.**



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by DEENY ARAUJO.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

**MINUTES:**

**PRESENT:** CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

**STAFF PRESENT:** MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., FLYNN FAGG – PLANNING AND DEVELOPMENT DEPT., RICK SCHRODER - PUBLIC WORKS, GINA VENGLASS - PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE, DEENY ARAUJO, STACEY CAMPBELL – CITY CLERK'S OFFICE, LENE COLEMAN – CITY CLERK'S OFFICE

(6:00)



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**SUBJECT:**

Approval of the minutes of the March 11, 2004, Planning Commission Meeting

**MOTION:**

**NIGRO – APPROVED – UNANIMOUS with EVANS abstaining as he was not present at the meeting**

**MINUTES:**

There was no discussion.

(6:01)

**1-45**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.**

**ACTIONS:**

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

**CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.**

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**CHAIRMAN TRUEDELL noted the Rules of Conduct.**

**PLANNING COMMISSION MEETING RULES OF CONDUCT.**

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - TENTATIVE MAP - TMP-3624 - DECATUR III - APPLICANT: R & S INVESTMENT GROUP - OWNER: DECATUR III, LIMITED LIABILITY COMPANY** - Request for a Tentative Map FOR A TWO-LOT COMMERCIAL SUBDIVISION on 27.38 acres adjacent to the northwest corner of Decatur Boulevard and Tropical Parkway (APN: 125-25-601-022 and 023), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

**TABLE**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends TABLE

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and TABLE Item 1 [TMP-3624], Item 4 [TMP-3991], Item 19 [SUP-3907] and Item 20 [VAR-4032], Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 3 [TMP-3974], and HOLD IN ABEYANCE Item 21 [ZON-3794] and Item 22 [SDR-3796] to 5/13/2004 Planning Commission meeting – UNANIMOUS**

NOTE: CHAIRMAN TRUESDELL disclosed that he has abstained in the past on other items because of an adjacent property he represented in the past. However, he would vote on the abeyance of Item 19 and 20.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 1 – TMP-3624

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(6:02 –6:03)

**1-76**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TENTATIVE MAP - TMP-3953 - DAISY LEE - APPLICANT: CDPCN - OWNER: DAISY LEE, LIMITED LIABILITY COMPANY** - Request for a Tentative Map FOR A 58-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 4.83 acres adjacent to the southwest corner of Jones Boulevard and Eugene Avenue (APN: 138-23-601-007), R-E (Residence Estates) Zone under Resolution of Intent to R-PD12 (Residential Planned Development - 12 Units per Acre), Ward 6 (Mack).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Consent Item 2 [TMP-3953], Item 5 [TMP-3993], and Item 6 [ANX-3978] subject to conditions – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:03 – 6:04)

1-135

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 2 – TMP-3953

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-2598) and Review of Condition (ROC-3757).
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map shall be approved by the Planning and Development Department and Public Works Department staff which notes that direct vehicular access to Jones Boulevard from abutting lots is prohibited.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

7. Provide public sewer easements for all public sewers not located within existing public street rights-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. Deviations for knuckle design as accepted by the City Engineer on January 28, 2004, and as shown on the submitted Tentative Map dated and sealed February 19, 2004, may be incorporated into the submitted construction drawings and recorded Final Map for this site.
9. Site development to comply with all applicable conditions of approval for ZON-2597, SDR-2598, and all other subsequent site-related actions.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 2 – TMP-3953

**CONDITIONS – Continued:**

10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TENTATIVE MAP - TMP-3974 - PARK SAHARA PROPERTIES (A COMMERCIAL SUBDIVISION) - APPLICANT: TRIPLE NET PROPERTIES, LIMITED LIABILITY COMPANY - OWNER: NNN PARK SAHARA, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 5.44 acres located adjacent to the northwest corner of Sahara Avenue and Burnham Avenue (APN: 162-02-813-001 thru 003; 162-02-814-001 thru 004), C-1 (Limited Commercial) Zone, Ward 3 (Reese).**

**WITHDRAW WITHOUT PREJUDICE**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

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**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends WITHDRAW WITHOUT PREJUDICE

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and TABLE Item 1 [TMP-3624], Item 4 [TMP-3991], Item 19 [SUP-3907] and Item 20 [VAR-4032], Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 3 [TMP-3974], and HOLD IN ABEYANCE Item 21 [ZON-3794] and Item 22 [SDR-3796] to 5/13/2004 Planning Commission meeting – UNANIMOUS**

NOTE: CHAIRMAN TRUESDELL disclosed that he has abstained in the past on other items because of an adjacent property he represented in the past. However, he would vote on the abeyance of Item 19 and 20.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 3 – TMP-3974

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(6:02 –6:03)

**1-76**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

**TENTATIVE MAP - TMP-3991 - REGENT AT TOWN CENTER (A CONDOMINIUM SUBDIVISION) - APPLICANT: BRENNER AND ASSOCIATES, INC. - OWNER: EL CAPITAN ASSOCIATES, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 284-UNIT CONDOMINIUM DEVELOPMENT, INCLUDING 10 RETAIL UNITS on 15.2 acres adjacent to the southwest corner of Durango Drive and Dorrell Lane (APN: 125-20-201-024), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Land Use Designation], Ward 6 (Mack).**

**TABLE****PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

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**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

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**RECOMMENDATION:**

Staff recommends TABLE

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and TABLE Item 1 [TMP-3624], Item 4 [TMP-3991], Item 19 [SUP-3907] and Item 20 [VAR-4032], Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 3 [TMP-3974], and HOLD IN ABEYANCE Item 21 [ZON-3794] and Item 22 [SDR-3796] to 5/13/2004 Planning Commission meeting – UNANIMOUS**

NOTE: CHAIRMAN TRUESDELL disclosed that he has abstained in the past on other items because of an adjacent property he represented in the past. However, he would vote on the abeyance of Item 19 and 20.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 4 – TMP-3991

**MINUTES – Continued:**

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 –6:03)

1-76

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TENTATIVE MAP - TMP-3993 - CAMBRIA CONDOMINIUMS -**  
**APPLICANT/OWNER: WARMINGTON HOMES NEVADA -** Request for a Tentative Map FOR A 142-UNIT CONDOMINIUM DEVELOPMENT on 9.1 acres adjacent to the southwest corner of Alexander Road and Hualapai Road (APN:137-12-501-021 and 138-07-103-005), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to P-C (Planned Community) Zone, Ward 4 (Brown).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Consent Item 2 [TMP-3953], Item 5 [TMP-3993], and Item 6 [ANX-3978] subject to conditions – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:03 – 6:04)

**1-135**



PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 5 – TMP-3993

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review SDR-2434.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. The applicant shall meet with Planning and Development Department staff, prior to the time application is made for a building permit, to determine the trail alignment along the eastern portion of the subject site.

Public Works

7. The Special Improvement District Section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to release of Final Map for this site.
8. Coordinate with the City Engineer's Office prior to submittal of a Final Map for this site regarding the Hualapai/Alexander roadway project to determine impacts to this site, if any.
9. Site development to comply with all applicable conditions of approval for Z-33-97 and all other subsequent site-related actions.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 5 – TMP-3993

**CONDITIONS – Continued:**

10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ANNEXATION - ANX-3978 - RONNY ACEVEDO AND GILMAR ACEVEDO -**  
Petition to Annex property located on the west side of Calvert Street, 810 feet south of Tropical Parkway, containing approximately 0.96 acres, APN: 125-25-310-030, Ward 6 (Mack).

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM.**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

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**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Consent Item 2 [TMP-3953], Item 5 [TMP-3993], and Item 6 [ANX-3978] subject to conditions – UNANIMOUS**

**To be forwarded to the City Council in Ordinance Form**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:03 – 6:04)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - MASTER DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - MDR-3867 - APPLICANT/OWNER: HOWARD HUGHES PROPERTIES -** Request for a Master Development Plan Review FOR SUMMERLIN VILLAGE 24 on 502.2 acres adjacent to the west side of Sky Vista Drive, between Alta Drive and Charleston Boulevard (a portion of APN: 137-22-000-010 and a portion of 164-04-000-011), P-C (Planned Community) Zone, Ward 2 (L. B. McDonald).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

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**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

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**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926] subject to conditions and replacing Condition 1 for Item 10 [VAC-3932] as follows:

1. An application to vacate the western half of Rebecca Road within Clark County, such as Clark County Petition of Vacation *VS-290-04*, must record concurrently with this Order of Vacation.  
– **UNANIMOUS** with STEINMAN abstaining on Item 14 [SUP-3984] as he has had a 30-year personal relationship with one of the original founders and present owners of Island Restaurants

To be heard by the City Council on 5/5/2004

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 7 – MDR-3867

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

DAVID CLAPSADDLE, Planning and Development Department, requested that Item 8 [ZON-3708] and Item 17 [VAC-3861] be removed from One Motion/One Vote because protest letters were received, and Item 13 [SUP-3961] the applicant did not agree with Condition Number 6. He indicated that letters have been received from each applicant agreeing to all of the conditions for all other items.

GINA VENGLASS, Public Works Department, explained that Condition 1 of Item 10 [VAC-3932] has a typographical error and needs to be amended.

COMMISSIONER DAVENPORT requested Item 15 [SUP-3986] and 16 [SDR-3996] be pulled from the One Motion/One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

(6:03 – 6:18)

**1-178**

**CONDITIONS:**

Planning and Development

1. All development shall conform to the Summerlin Development Standards.
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones excluding parks in this development.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 7 – MDR-3867

**CONDITIONS – Continued:**

3. For non-residential projects: Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

4. Prior to or concurrent with development of each parcel/village, appropriate right-of-way dedications, street improvements, drainage plan/study submittals, drainage improvements, sanitary sewer collection system extensions and traffic impact analyses including traffic mitigation plans along with signal participation schedules and pedestrian circulation plans may be required by the Department of Public Works. Comply with such requirements when imposed and/or when compliance is indicated.
5. Provide a minimum of two lanes of paved legal access from an existing paved public street to each individual development area prior to occupancy of any buildings within each development area.
6. A Master Sewer Plan for the overall site must be submitted to and approved by the Department of Public Works prior to the issuance of any site grading or building permits or the recordation of a Master Final Map, whichever may occur first. Additional specific village and/or site sewer plan/studies may be required with each individual pod or phase of development activity based upon sewer capacities at the time of development.
7. Provide a Conceptual Master Flood Study for Summerlin Village 24. Technical updates to the Summerlin Village 24 Flood Control Master Flood Study must be submitted to and approved by the Department of Public Works prior to the issuance of any site specific grading or building permits or the recordation of a Final Map, whichever may occur first. Additionally, specific village and/or site drainage plan/studies will be required with each individual pod or phase of development activity. If the Master Flood Study for Summerlin Village 24 does not conform to the Summerlin West Master Drainage Study, the developer will be required to update the Summerlin West Master Plan.
8. A Master Traffic Impact Analysis for this overall site (including sections addressing impacts to the proposed roadway network based on the proposed maximum densities, proposed street widths, locations of turn lanes, Las Vegas Beltway Project impacts,

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 7 – MDR-3867

**CONDITIONS – Continued:**

- proposed traffic signal locations, proposed multi-use trail corridors and a master pedestrian circulation plan including pedestrian/school crosswalks) shall be submitted to and approved by the Department of Public Works prior to the recordation of any maps dedicating public street right-of-ways. The Master Developer shall be responsible for its proportionate share of all related signal systems with construction and funding details to be contained in a written agreement to be developed within the Master Traffic Impact Analysis and acceptable to the Director of Public Works prior to or concurrent with the approval of the Master Traffic Impact Analysis. The Pedestrian Circulation section shall identify the location and width of all proposed pedestrian crossing signals (if any) and how each Village's pedestrian circulation plan integrates with adjoining development areas.
9. An update to the "Village" Traffic Impact Analyses may be required to be submitted to and approved by the Department of Public Works prior to the recordation of any maps subdividing any village site. The Village Traffic Impact Analyses shall include a section specifically addressing those subdivisions with single-point entries and provide an Access Analysis for those sites. The Village analyses shall also include a section addressing Standard Drawings #201.1, #234.1 and #234.2 to determine additional right-of-way requirements adjacent to each village, if any; dedicate all areas recommended by the approved Village Traffic Impact Analyses. Phased compliance will be allowed if recommended by the approved Village Traffic Impact Analyses. No recommendation of the approved Village Traffic Impact Analyses or the Master Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
  10. All landscaping within public rights-of-way or common areas shall be maintained by the Master Developer or his designee. An Encroachment Agreement shall be obtained prior to installation of any private improvements or landscaping within public rights-of-way. All installed landscaping, whether in public rights-of-way or within common area properties, shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and all adjacent, abutting street intersections.
  11. Provide appropriate easements for all public facilities (sewer, drainage, sidewalk, traffic signal, streetlighting, etc) as required by the Department of Public Works.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 7 – MDR-3867

**CONDITIONS – Continued:**

12. The developer shall submit an application to Amend the current Master Plan of Streets and Highways, as necessary, to allow the proposed development plan submitted with this rezoning application. The application, if required, to amend the Master Plan shall be submitted following approval of the Master Traffic Impact Analysis.
13. The approval of all Public Works related improvements shown on this rezoning map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted Summerlin and/or City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. We reserve the right to impose additional conditions of approval for each individual development site when such plans are known. We anticipate the need for additional conditions concurrent with approval of the Master Tentative Map(s) and/or Village Map(s) for this site.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - REZONING - PUBLIC HEARING - ZON-3708 -**  
**APPLICANT/OWNER: EMERALD CREST HOLDINGS, LIMITED LIABILITY**  
**COMPANY - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-3**  
**(Medium Density Residential) on 0.29 acres adjacent to the northeast corner of Torrey Pines**  
**Drive and Garwood Avenue (APN: 138-35-517-001), Ward 1 (Moncrief).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>8</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that this item was previously held in abeyance to give the applicant time to hold a neighborhood meeting, which was held on March 31, 2004. There were five residents in attendance. The not a part section is zoned is R-3. It makes sense to have a unified zoning on this parcel to make it all R-3. Most importantly, a Site Development Plan Review will be required as a public hearing before the Planning Commission and City Council prior to any development on that particular piece of property. Staff recommended approval.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 8 – ZON-3708

**MINUTES – Continued:**

JOHN VORSAND, 2564 Wigwam Parkway, Suite #308, Henderson, appeared on behalf of the applicant. He indicated that this unique property represents an R-3 condominium project where the common area is still zoned R-1. The situation occurred approximately 40 years ago when this property was originally zoned. Since that time, US-95 and Torrey Pines Drive have been widened. This area is elevated preventing any access from Torrey Pines Drive. Due to the widening of US-95 condemnation proceedings are occurring on the south side of US-95, which will probably take the north six buildings of this project. This property will probably be redeveloped in the future and at that time the applicant will bring plans as a public hearing. The request will unify the zoning.

JUANITA CLARK and JUNE INGRAM, Charleston Neighborhood Preservation, opposed the rezoning because the applicant has intentions to sell this land and more importantly, the residents are concerned not knowing what would be proposed at this location. The previous zoning was a buffer between the residents and the apartments. The north six buildings were vacated a year ago. The neighborhood meeting was granted, however, the applicant refused to mail out notices to anyone because of the expense. The residents should have a say on the rezoning of this property.

MR. VORNSAND replied that this property is not conducive for any type of single-family residential development. He reiterated that the request is to unify the zoning so that the parcel can be properly planned for redevelopment.

COMMISSIONER McSWAIN commented that the applicant is not asking to upgrade the zoning that already exists on the adjacent parcel and would, therefore, support the request.

COMMISSIONER NIGRO pointed out that a site plan review is required as part of any new applications. Therefore, the residents will have the opportunity to see the different aspects of the R-3 development.

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(6:10 – 6:18)

**1-417**

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 8 – ZON-3708

**CONDITIONS – Continued:**

2. Approval of a Site Development Plan Review by the Planning Commission and City Council prior to any future development.

Public Works

3. The Department of Public Works reserves the right to request future improvements should this site develop including, but not limited to half street improvements, drainage studies, and Traffic Impact Analyses.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TENTATIVE MAP - TMP-3989 - PONDEROSA ESTATES - APPLICANT: PACIFIC COAST DEVELOPMENT - OWNER: DARK, LIMITED LIABILITY COMPANY -** Request for a Tentative Map FOR A 32-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 14.74 acres adjacent to the east and west sides of Rebecca Road, approximately 260 feet south of El Campo Grande Avenue, (APN:125-26-402-005 and 125-26-403-013), U (Undeveloped) Zone [RE (Rural Estates Density Residential) General Plan Designation] and R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 6 (Mack).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926] subject to conditions and replacing Condition 1 for Item 10 [VAC-3932] as follows:

1. An application to vacate the western half of Rebecca Road within Clark County, such as Clark County Petition of Vacation *VS-290-04*, must record concurrently with this Order of Vacation.  
 – UNANIMOUS with STEINMAN abstaining on Item 14 [SUP-3984] as he has had a 30-year personal relationship with one of the original founders and present owners of Island Restaurants

**This is Final Action**

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 9 – TMP-3989

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

DAVID CLAPSADDLE, Planning and Development Department, requested that Item 8 [ZON-3708] and Item 17 [VAC-3861] be removed from One Motion/One Vote because protest letters were received, and Item 13 [SUP-3961] the applicant did not agree with Condition Number 6. He indicated that letters have been received from each applicant agreeing to all of the conditions for all other items.

GINA VENGLASS, Public Works Department, explained that Condition 1 of Item 10 [VAC-3932] has a typographical error and needs to be amended.

COMMISSIONER DAVENPORT requested Item 15 [SUP-3986] and 16 [SDR-3996] be pulled from the One Motion/One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

(6:03 – 6:18)

**1-178**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-3082).

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 9 – TMP-3989

**CONDITIONS – Continued:**

3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. A Petition of Vacation, such as VAC-3932, must record prior to the recordation of a Final Map overlying or abutting the area to be vacated. Said Petition of Vacation shall record concurrently with a Clark County vacation for the west side of Rebecca Road.
7. Public drainage easements must be common lots to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.
8. Site development to comply with all applicable conditions of approval for Rezoning application (ZON-3080), Site Development Plan Review (SDR-3082), and all other subsequent site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VACATION - PUBLIC HEARING - VAC-3932 - APPLICANT: PACIFIC COAST DEVELOPMENT - OWNER: DARK, LIMITED LIABILITY COMPANY -** Petition to Vacate portions of Rebecca Road between Ann Road and El Campo Grande Avenue, Ward 6 (Mack).

**SET DATE: 04/21/04 C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926] subject to conditions and replacing Condition 1 for Item 10 [VAC-3932] as follows:

1. An application to vacate the western half of Rebecca Road within Clark County, such as Clark County Petition of Vacation *VS-290-04*, must record concurrently with this Order of Vacation.  
– **UNANIMOUS** with STEINMAN abstaining on Item 14 [SUP-3984] as he has had a 30-year personal relationship with one of the original founders and present owners of Island Restaurants

To be heard by the City Council on 5/5/2004

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 10 – VAC-3932

**MINUTES – Continued:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

DAVID CLAPSADDLE, Planning and Development Department, requested that Item 8 [ZON-3708] and Item 17 [VAC-3861] be removed from One Motion/One Vote because protest letters were received, and Item 13 [SUP-3961] the applicant did not agree with Condition Number 6. He indicated that letters have been received from each applicant agreeing to all of the conditions for all other items.

GINA VENGLASS, Public Works Department, explained that Condition 1 of Item 10 [VAC-3932] has a typographical error and needs to be amended.

COMMISSIONER DAVENPORT requested Item 15 [SUP-3986] and 16 [SDR-3996] be pulled from the One Motion/One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

(6:03 – 6:18)

**1-178**

**CONDITIONS:**

1. An application to vacate the western half of Rebecca Road within Clark County, such as Clark County Petition of Vacation VS-390-04, must record concurrently with this Order of Vacation.
2. This Petition of Vacation shall be modified to retain a 20-foot wide City of Las Vegas Sewer easement within Rebecca Road, in an alignment and to a location acceptable to the City Engineer prior to recordation of the Order of Vacation. Alternatively, provide an abandonment and relocation plan with appropriate easements acceptable to the Department of Public Works prior to the recordation of this Petition of Vacation.



PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 10 – VAC-3932

**CONDITIONS – Continued:**

3. Prior to the recordation of the Order of Vacation, the applicant shall reimburse the City of Las Vegas \$1,325.00 or fair market value, whichever is higher, for the radius corner at the northwest corner of Rebecca Road and Ann Road.
4. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required for the “Ponderosa Estates” Tentative Map may be used to satisfy this condition.
5. Development of these sites shall comply with all applicable conditions of approval of Rezoning application ZON-3080, Site Development Plan Review SDR-3082, “Ponderosa Estates” Tentative Map and all other applicable site related actions.
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
8. All development shall be in conformance with code requirements and design standards of all City departments.
9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 10 – VAC-3932

**CONDITIONS – Continued:**

10. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW RELATED TO TMP-3994 - NON-PUBLIC HEARING - SDR-4125 - APPLICANT: BRENNER & ASSOCIATES, INC. - OWNER: MOUNTAIN CREEK, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 320-UNIT CONDOMINIUM DEVELOPMENT on 13.88 acres adjacent to the northeast corner of US Highway 95 and Smoke Ranch Road (APN: 138-15-801-001), R-3 (Medium Density Residential) Zone, Ward 6 (Mack).**

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926] subject to conditions and replacing Condition 1 for Item 10 [VAC-3932] as follows:**

1. An application to vacate the western half of Rebecca Road within Clark County, such as Clark County Petition of Vacation *VS-290-04*, must record concurrently with this Order of Vacation.  
– UNANIMOUS with STEINMAN abstaining on Item 14 [SUP-3984] as he has had a 30-year personal relationship with one of the original founders and present owners of Island Restaurants

**This is Final Action**

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 11 – SDR-4125

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

DAVID CLAPSADDLE, Planning and Development Department, requested that Item 8 [ZON-3708] and Item 17 [VAC-3861] be removed from One Motion/One Vote because protest letters were received, and Item 13 [SUP-3961] the applicant did not agree with Condition Number 6. He indicated that letters have been received from each applicant agreeing to all of the conditions for all other items.

GINA VENGLASS, Public Works Department, explained that Condition 1 of Item 10 [VAC-3932] has a typographical error and needs to be amended.

COMMISSIONER DAVENPORT requested Item 15 [SUP-3986] and 16 [SDR-3996] be pulled from the One Motion/One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

(6:03 – 6:18)

**1-178**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 11 – SDR-4125

**CONDITIONS – Continued:**

3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. [Residential or commercial subdivisions] The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 11 – SDR-4125

**CONDITIONS – Continued:**

12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to the recordation of a Final Map for this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. Site development to comply with all applicable conditions of approval for Z-51-85 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**TENTATIVE MAP RELATED TO SDR-4125 - TMP-3994 - MOUNTAIN CREEK (A CONDOMINIUM SUBDIVISION) - APPLICANT: BRENNER AND ASSOCIATES, INC. - OWNER: MOUNTAIN CREEK, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 320-UNIT CONDOMINIUM DEVELOPMENT on 13.88 acres adjacent to the northeast corner of US Highway 95 and Smoke Ranch Road (APN: 138-15-801-001), R-3 (Medium Density Residential) Zone, Ward 6 (Mack).**

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926] subject to conditions and replacing Condition 1 for Item 10 [VAC-3932] as follows:**

1. An application to vacate the western half of Rebecca Road within Clark County, such as Clark County Petition of Vacation *VS-290-04*, must record concurrently with this Order of Vacation.  
 – UNANIMOUS with STEINMAN abstaining on Item 14 [SUP-3984] as he has had a 30-year personal relationship with one of the original founders and present owners of Island Restaurants

**This is Final Action**

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 12 – TMP-3994

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

DAVID CLAPSADDLE, Planning and Development Department, requested that Item 8 [ZON-3708] and Item 17 [VAC-3861] be removed from One Motion/One Vote because protest letters were received, and Item 13 [SUP-3961] the applicant did not agree with Condition Number 6. He indicated that letters have been received from each applicant agreeing to all of the conditions for all other items.

GINA VENGLASS, Public Works Department, explained that Condition 1 of Item 10 [VAC-3932] has a typographical error and needs to be amended.

COMMISSIONER DAVENPORT requested Item 15 [SUP-3986] and 16 [SDR-3996] be pulled from the One Motion/One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

(6:03 – 6:18)

**1-178**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review SDR-4125.



PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 12 – TMP-3994

**CONDITIONS – Continued:**

3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Site development to comply with all applicable conditions of approval for Z-51-85 and all other subsequent site-related actions.
7. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3961 - APPLICANT: NAMEER KALANDOS - OWNER: MEHRAN DAVID KOHANBASH** - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE at 5000 West Charleston Boulevard, Suite 7 (APN: 138-36-804-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

**C.C.: 05/05/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant requested the item be pulled from the One Motion/One Vote in order to discuss Condition 6 pertaining to the sale of individual containers, screw cap wine. This is a standard condition placed on these types of uses. Staff recommended approval.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 13 – SUP-3961

**MINUTES – Continued:**

DAVE EDER, Nevada Gaming Applications Consultants, appeared on behalf of the applicant. MR. EDER stated that the applicant is an experienced convenience store operator and has had stores in the County for a number of years. The store will not be opened 24 hours. The hours of operation will be from 8:00 a.m. to 9:00 p.m. The applicant has restricted himself to sales of anything smaller than 16 ounces in his other stores and is requesting the same be applied at this store. The applicant agrees to no repackaging and agrees to all other conditions.

COMMISSIONER McSWAIN commented that the City Council in many cases allowed that condition to be waived. Even though she is sensitive to the fact that other stores in the area might be grandfathered to sell singles, she is more inclined to support this item in its present context, since it will go to City Council.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(6:18 – 6:22)

**1-677**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-Premise Consumption) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3984 - APPLICANT: ISLAND RESTAURANT - OWNER: HOWARD HUGHES CANYON POINTE Q4** - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB located adjacent to the northwest corner of Charleston Boulevard and Pavilion Center Drive (APN: 137-36-414-004), P-C (Planned Community) Zone, Ward 2 (L.B. McDonald).

**C.C.: 05/05/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926] subject to conditions and replacing Condition 1 for Item 10 [VAC-3932] as follows:

1. An application to vacate the western half of Rebecca Road within Clark County, such as Clark County Petition of Vacation *V/S-290-04*, must record concurrently with this Order of Vacation.  
– **UNANIMOUS** with STEINMAN abstaining on Item 14 [SUP-3984] as he has had a 30-year personal relationship with one of the original founders and present owners of Island Restaurants

To be heard by the City Council on 5/5/2004

**NOTE:** CHAIRMAN TRUESDELL disclosed that his daughter resides within the notification area, but unaffected by this site.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 14 – SUP-3984

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

DAVID CLAPSADDLE, Planning and Development Department, requested that Item 8 [ZON-3708] and Item 17 [VAC-3861] be removed from One Motion/One Vote because protest letters were received, and Item 13 [SUP-3961] the applicant did not agree with Condition Number 6. He indicated that letters have been received from each applicant agreeing to all of the conditions for all other items.

GINA VENGLASS, Public Works Department, explained that Condition 1 of Item 10 [VAC-3932] has a typographical error and needs to be amended.

COMMISSIONER DAVENPORT requested Item 15 [SUP-3986] and 16 [SDR-3996] be pulled from the One Motion/One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

(6:03 – 6:18)

**1-178**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance to the Conditions of Approval for Rezoning (Z-0135-93) and Summerlin Development Plan Review (SV-0001-02).

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 14 – SUP-3984

**CONDITIONS – Continued:**

4. The site plan shall be revised, prior to the issuance of any permits, to show that the six handicap spaces adjacent to the proposed building on the site plan now meet Code requirements for adequate apron areas on either side of the handicap spaces, and to show that the trash enclosure area is roofed in accordance with Code requirements.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

Public Works

8. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
9. Site development to comply with all applicable conditions of approval for The Arbors at Summerlin Village 11/12 Unit 2C Lot 7 Commercial Subdivision and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3986 - APPLICANT: MUSTAFA KAVRUKLAR - OWNER: RITA QUAM FAMILY TRUST - Request for a Special Use Permit and a Waiver from the 400-foot distance separation requirement from an existing church FOR A SUPPER CLUB located at 6750 West Sahara Avenue (APN: 163-02-415-012), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).**

**C.C.: 05/05/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**1**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that this item was on the One Motion/One Vote, even with the waiver because of the history of the site. In the past this has been a supper club, East Side Mario's and Bennigan's. There have been no issues documented with the proximity to the church. He pointed out that COMMISSIONER DAVENPORT requested that this item be pulled from the One Motion/One Vote agenda. Staff's recommendation was for approval.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 15 – SUP-3986

**MINUTES – Continued:**

RITA QUAM, 8621 Robinson Ridge, stated that Chevy's has a liquor license and they are located within the 400 feet. The primary use will be a supper club.

COMMISSIONER DAVENPORT remarked that whenever he sees an application for liquor adjacent to a church he would like to have the item as an open meeting and ask for public comment.

TOM McGOWAN, Las Vegas resident, appeared in support and verified with MR. CLAPSADDLE that the church is adjacent to this parcel. There were three previously approved supper clubs for this particular building.

COMMISSIONER McSWAIN inquired if the church was already there when this was originally approved. MR. CLAPSADDLE replied that the church has been there prior to the applications of East Side Mario's Bennigan's.

COMMISSIONER DAVENPORT affirmed that he does not have a problem with the site or the request. He would like to have a review whenever a request for liquor is adjacent to a church.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:22 – 6:26)

**1-800**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Supper Club use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0045-88).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. A Waiver to the 400-foot separation distance is approved.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3996 - APPLICANT: FIRST STREET VENTURES, LIMITED LIABILITY COMPANY - OWNER: EQUILON ENTERPRISES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers for a reduction of perimeter, parking lot, and sidewalk landscaping FOR A PROPOSED 2,762 SQUARE-FOOT GENERAL RETAIL BUILDING AND A 408 SQUARE-FOOT DRIVE THROUGH COFFEE KIOSK on 0.49 acres at 1509 West Charleston Boulevard (APN: 162-04-501-001 & 002) C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the existing developed site is located at the southwest corner of Charleston Boulevard and Martin Luther King. It will be a drive-thru coffee shop kiosk.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 16 – SDR-3996

**MINUTES – Continued:**

The landscape varies between four and 22 feet where 15 feet is required. Staff feels it is appropriate. There is a four-foot wide planter along the south property line next to the existing general retail, and given that this is already developed site with a gas station, staff recommended approval. He indicated that COMMISSIONER DAVENPORT requested that this item be pulled from the One Motion/One Vote.

COMMISSIONER DAVENPORT verified that the waiver is for the landscaping with regards to the parking lot and not for a parking waiver.

DAVID TURNER, Baughman & Turner, 1210 Hinson Street, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:26 – 6:29)

1-933

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 16 – SDR-3996

**CONDITIONS – Continued:**

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
12. Waivers to the landscape standards of the Code are granted.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 16 – SDR-3996

**CONDITIONS – Continued:**

15. Submit an application for an Occupancy Permit for any landscaping or improvements in the Nevada Department of Transportation controlled portions of Charleston Boulevard and Martin L. King Boulevard public rights-of-way adjacent to this site prior to the issuance of any permits.
16. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Obtain an Encroachment Agreement for any landscaping and private improvements in the City of Las Vegas controlled public rights-of-way adjacent to this site.
18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VACATION - PUBLIC HEARING - VAC-3861 - APPLICANT: CITY OF LAS VEGAS** - Petition to Vacate a 20-foot wide public trail easement known as the "Pioneer Way Trail," generally located on the west side of Pioneer Way, from Deer Springs Way to Severance Lane; thence northerly to Farm Road; thence westerly along the north side of Farm Road to Buffalo Drive; thence northerly along the east side of Buffalo Drive to Whispering Sands Drive, Ward 6 (Mack).

**SET DATE: 04/21/04 C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained this application was initiated by the City of Las Vegas. The General Plan Amendment that removes this trail from the trail elements was already done. This application will vacate the easement. He referred to an exhibit depicting the trail to be located at Deer Springs, up Farm Road, turning west. These are privately held easements. This piece will revert back to the owner. Staff recommended approval.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 17 – VAC-3861

**MINUTES – Continued:**

ROBERT ARTS, President, Hillstone Estates II Homeowners Association, stated that he has no concerns regarding the easement, but asked that conditions be added to this application. He explained that Pioneer Road, between Blackwood Creek and Tenaya, is narrower than the rest of the road because of this easement. Therefore, he asked that a condition be added requiring the City to widen this road. He also asked if the City intends to put sidewalks in this area. He mentioned that at the time the ownership was turned over to the Homeowners Association, approximately a year ago, this easement prevented them from having the builder put decorative rock on that equestrian trail that existed at that point. He asked that if the City is going to give up that easement, which means that the City will no longer maintain that equestrian trail, and that maintenance would revert back to the “homeowners association”, that the City extend the decorative rock down to the sidewalk line.

MR. CLAPSADDLE summarized that Condition 1 requires retention of public drainage easement to be privately maintained by the Homeowners Association across the full width of the area; Condition 2 requires that maintenance of all private improvements, including driveways located in this area proposed to be vacated, must be maintained by each adjacent property owner or by a homeowners association and Condition 3 requires that all existing public improvements, if any, adjacent to and in conflict with this vacation are to be modified as necessary at the City’s expense prior to recordation of the order.

GINA VENGLASS, Public Works Department, clarified that the City only needs to retain the easement between Severance Lane and Farm Road. CHAIRMAN TRUESDELL verified with MS. VENGLASS that there are no plans at this time to widen the road. She mentioned that Pioneer Way between Elkhorn and Deer Spring exists as a rural roadway.

COMMISSIONER EVANS suggested that MR. ARTS meet with Planning staff to clarify some of the issues.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:29 – 6:34)

**1-1027**

**CONDITIONS:**

1. Retain a public drainage easement to be privately maintained by the Homeowner’s Association across the full width of the area to be vacated extending from Severance Lane northward to Farm Road.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 17 – VAC-3861

**CONDITIONS – Continued:**

2. Maintenance of all private improvements, including driveways, located within the area proposed to be vacated and extending into the public right-of-way, shall be maintained by each adjacent property owner or by a Homeowner's Association (if applicable).
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VACATION - PUBLIC HEARING - VAC-3926 - APPLICANT: HENRY BRENT COMPANY - OWNER: STEADFAST AMX I, LIMITED LIABILITY COMPANY AND STEADFAST AMX II, LIMITED LIABILITY COMPANY, ET AL - Petition to Vacate Third Street between Ogden Avenue and Stewart Avenue, Ward 5 (Weekly).**

**SET DATE: 04/21/04 C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926] subject to conditions and replacing Condition 1 for Item 10 [VAC-3932] as follows:**

1. **An application to vacate the western half of Rebecca Road within Clark County, such as Clark County Petition of Vacation *VS-290-04*, must record concurrently with this Order of Vacation.**  
**– UNANIMOUS with STEINMAN abstaining on Item 14 [SUP-3984] as he has had a 30-year personal relationship with one of the original founders and present owners of Island Restaurants**

**To be heard by the City Council on 5/5/2004**



PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 18 – VAC-3926

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

DAVID CLAPSADDLE, Planning and Development Department, requested that Item 8 [ZON-3708] and Item 17 [VAC-3861] be removed from One Motion/One Vote because protest letters were received, and Item 13 [SUP-3961] the applicant did not agree with Condition Number 6. He indicated that letters have been received from each applicant agreeing to all of the conditions for all other items.

GINA VENGLASS, Public Works Department, explained that Condition 1 of Item 10 [VAC-3932] has a typographical error and needs to be amended.

COMMISSIONER DAVENPORT requested Item 15 [SUP-3986] and 16 [SDR-3996] be pulled from the One Motion/One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [MDR-3867], Item 9 [TMP-3989], Item 10 [VAC-3932], Item 11 [SDR-4125], Item 12 [TMP-3994], Item 14 [SUP-3984] and Item 18 [VAC-3926].

(6:03 – 6:18)

**1-178**

**CONDITIONS:**

1. Submittal of a Site Development Plan Review on this property for review by the Planning Commission and City Council at a public hearing prior to the recordation of an Order of Vacation as required by the Department of Planning and Development.
2. Retain a 20-foot public sewer easement centered over the existing sewer line as required by the Department of Public Works. This condition shall not be enforced if an alternative sewer access or relocation plan is submitted to and approved by the City Engineer.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 18 – VAC-3926

**CONDITIONS – Continued:**

3. Provide to the City written acknowledgment and approval of the proposed Vacation and Parkway Plan from all abutting property owners prior to the recordation of an Order of Vacation as required by the Department of Public Works. All property owners must agree to grant reciprocal access rights across all vacated right-of-way.
4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City Departments.
7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - SPECIAL USE PERMIT RELATED TO VAR-4032 - PUBLIC HEARING - SUP-3907 - APPLICANT: HIGHLAND OFFICE CENTER - OWNER: D. 2753, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2753 Highland Drive (APN: 162-09-102-003), M (Industrial) Zone, Ward 1 (Moncrief).**

**TABLE**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends TABLE

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and TABLE Item 1 [TMP-3624], Item 4 [TMP-3991], Item 19 [SUP-3907] and Item 20 [VAR-4032], Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 3 [TMP-3974], and HOLD IN ABEYANCE Item 21 [ZON-3794] and Item 22 [SDR-3796] to 5/13/2004 Planning Commission meeting – UNANIMOUS**

NOTE: CHAIRMAN TRUESDELL disclosed that he has abstained in the past on other items because of an adjacent property he represented in the past. However, he would vote on the abeyance of Item 19 and 20.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 19 – SUP-3907

**MINUTES – Continued:**

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 –6:03)

1-76

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - VARIANCE RELATED TO SUP-3907 - PUBLIC HEARING - VAR-4032 - APPLICANT: HIGHLAND OFFICE CENTER - OWNER: D. 2753, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW AN OFF-PREMISE (BILLBOARD) ADVERTISING SIGN TO BE 5 FEET FROM THE INTERSECTION OF TWO PUBLIC STREETS WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED at 2753 Highland Drive (APN: 162-09-102-003), M (Industrial) Zone, Ward 1 (Moncrief).**

**TABLE**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends TABLE

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and TABLE Item 1 [TMP-3624], Item 4 [TMP-3991], Item 19 [SUP-3907] and Item 20 [VAR-4032], Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 3 [TMP-3974], and HOLD IN ABEYANCE Item 21 [ZON-3794] and Item 22 [SDR-3796] to 5/13/2004 Planning Commission meeting – UNANIMOUS**

NOTE: CHAIRMAN TRUESDELL disclosed that he has abstained in the past on other items because of an adjacent property he represented in the past. However, he would vote on the abeyance of Item 19 and 20.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 20 – VAR-4032

**MINUTES – Continued:**

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(6:02 –6:03)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - REZONING RELATED TO SDR-3796 - PUBLIC HEARING - ZON-3794 - APPLICANT: CARINA HOMES - OWNER: RAINBOW VALLEY ESTATES, INC. - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: R-PD7 (Residential Planned Development - 7 Units per Acre) on 10.49 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN: 125-16-101-001), Ward 6 (Mack).**

**ABEYANCE TO THE MAY 13, 2004 PLANNING COMMISSION MEETING**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**1**

**RECOMMENDATION:**

Staff recommends ABEYANCE TO THE MAY 13, 2004 PLANNING COMMISSION MEETING

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and TABLE Item 1 [TMP-3624], Item 4 [TMP-3991], Item 19 [SUP-3907] and Item 20 [VAR-4032], Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 3 [TMP-3974], and HOLD IN ABEYANCE Item 21 [ZON-3794] and Item 22 [SDR-3796] to 5/13/2004 Planning Commission meeting – UNANIMOUS**

NOTE: CHAIRMAN TRUESDELL disclosed that he has abstained in the past on other items because of an adjacent property he represented in the past. However, he would vote on the abeyance of Item 19 and 20.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 21 – ZON-3794

**MINUTES – Continued:**

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 –6:03)

1-76



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3794 - PUBLIC HEARING - SDR-3796 - APPLICANT: CARINA HOMES - OWNER: RAINBOW VALLEY ESTATES, INC. - Request for a Site Development Plan Review FOR A 64-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.49 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN: 125-16-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] Proposed: R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 6 (Mack).**

**ABEYANCE TO THE MAY 13, 2004 PLANNING COMMISSION MEETING**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends ABEYANCE TO THE MAY 13, 2004 PLANNING COMMISSION MEETING

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and TABLE Item 1 [TMP-3624], Item 4 [TMP-3991], Item 19 [SUP-3907] and Item 20 [VAR-4032], Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 3 [TMP-3974], and HOLD IN ABEYANCE Item 21 [ZON-3794] and Item 22 [SDR-3796] to 5/13/2004 Planning Commission meeting – UNANIMOUS**

NOTE: CHAIRMAN TRUESDELL disclosed that he has abstained in the past on other items because of an adjacent property he represented in the past. However, he would vote on the abeyance of Item 19 and 20.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 22 – SDR-3796

**MOTION – Continued:**

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

No one appeared in opposition

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(6:02 –6:03)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**REZONING RELATED TO SDR-3768 - PUBLIC HEARING - ZON-4124 - APPLICANT/OWNER: DAVID LITVAK - Request for a Rezoning FROM: R-4 (HIGH-DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.16 acres located at 203 and 205 East Colorado Avenue (APN: 162-03-110-053), Ward 1 (Moncrief).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>2</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he owns an interest in an adjacent property**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 23 [ZON-4124] and Item 24 [SDR-3768].

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that the request is for the remodel of two existing residential structures. The structures are located near the existing antique business at the corner of 3<sup>rd</sup> and Colorado.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 23 – ZON-4124

**MINUTES – Continued:**

An existing building behind the residential structure will be used for storage. The project is within the City's Arts District and is one of the types of uses that staff looks forward to seeing in that area. Substantial remodeling will be done and this is an extension to the applicant's existing business. Staff recommended approval.

DAVID and VERONICA HOLMES LITVAK agreed with staff's recommendations.

TOM McGOWAN, Las Vegas resident, stated that the project is located in the heart of the City's redevelopment. The properties are in an ideal location, especially their proximity to the proposed monorail. It is important to have these artistic endeavors in advance and it is crucial to the Arts District.

TODD FARLOW, 240 North 19<sup>th</sup> Street, supported the request.

COMMISSIONER McSWAIN commended the applicants for the efforts they have made in this area.

COMMISSIONER EVANS stated that the applicants, along with several other property owners, YANNA, SANDY FUNKHOUSER, the Funkhouse, the Dust Gallery, William's Costume, the Yards Factory, are pioneers in the redevelopment of that area. In the next few years, this area will be vibrant with cafes, antique shops, and galleries.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 23 [ZON-4124] and Item 24 [SDR-3768].

NOTE: All discussion for Item 23 [ZON-4124] and Item 24 [SDR-3768] was held under Item 23 [ZON-4124].

(6:34 – 6:40)

**1-1239**

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 23 – ZON-4124

**CONDITIONS – Continued:**

Public Works

3. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - SITE DEVELOPMENT PLAN REVIEW  
RELATED TO ZON-4124 - PUBLIC HEARING - SDR-3768 - APPLICANT/OWNER:  
DAVID LITVAK - Request for a Site Development Plan Review and Waivers of the  
Downtown Centennial Plan streetscape standards and perimeter landscaping standards FOR A  
PROPOSED 1,100 SQUARE-FOOT ANTIQUE STORE on 0.16 acres located at 203 and 205  
East Colorado Avenue (APN: 162-03-110-053), R-4 (High Density Residential) Zone, Ward 1  
(Moncrief).**

**C.C. 06/16/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>2</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL  
abstaining as he owns an interest in an adjacent property**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 23 for all discussion.

(6:34 – 6:40)

1-1239

**CONDITIONS:**

Planning and Development

1. A Rezoning (ZON-4124) to a C-1 (Limited Commercial) Zoning District approved by the City Council.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 24 – SDR-3768

**CONDITIONS – Continued:**

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.

Public Works

7. Site development to comply with all applicable conditions of approval for ZON-4124 and all other subsequent site-related actions.

Building and Safety

8. The following requirements are applicable for the conversion of residential properties to commercial uses:
  - a. Fire-rated walls with parapets will be required where any building is less than ten feet from a property line. Protected openings are permitted when five to ten feet from the property line; no openings are permitted where less than five feet to the property line.
  - b. Replace electrical wiring with wiring in conduit if there is no grounding conductor.
  - c. Provide 100% upgrade to handicap accessibility including doors, restrooms, parking counters, and any other requirements for these uses.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 24 – SDR-3768

**CONDITIONS – Continued:**

- d. Dissolve any interior property lines between buildings or design for property line requirements such as fire-rated parapets, protected openings, etc.
- e. A grounding electrode and exterior disconnect shall be required at each building.
- f. Conformance with all other applicable building code requirements.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**GENERAL PLAN AMENDMENT RELATED TO ZON-3672 AND SDR-3958 - PUBLIC HEARING - GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (Low Density Residential) TO: M (Medium Density Residential) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).**

**C.C. 06/16/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – ABEYANCE to 5/27/2004 Planning Commission meeting – UNANIMOUS**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 25 [GPA-3670], Item 26 [ZON-3672] and Item 27 [SDR-3958].

STEVE SWANTON, Planning and Development Department, indicated that two factors contributed to staff's recommendation of denial on all three applications. There is an existing house on the parcel, but it will be removed if the applications are approved. Using a video, MR. SWANTON explained that the area has smaller lots that are still zoned R-E. It has a maximum density of 5.5 units per acre. There are Low Density Residential in the General Plan. The other

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 25 – GPA-3670

**MINUTES – Continued:**

factor is that the northern most parcel of the three parcels being requested belongs to a rural preservation neighborhood. The Nevada Revised Statute limits the density within these areas to a maximum of two units per acre. The balance of the site lies within the RPN buffer, which is three units per acre maximum density. Changing the General Plan in this area to allow the density of up to 25 units would be inconsistent with State law. Once the house is demolished, the RPN status is removed and the property can be fully located within the buffer zone, which is still limited to three units per acre. However, the Commission has the discretion to approve something of a higher density, according to the State Statute. Staff does not believe that a change to a classification permitting the increase to the density up to 25 units is a desirable transition to the single-family homes. Therefore, staff recommended denial on the General Plan Amendment. A neighborhood meeting was required for this item and four people attended. Their primary concerns were whether a resident manager would on site and the kind of landscaping that would be provided on the site.

Regarding the rezoning request, MR. SWANTON stated that staff would discourage having a development with a density of 22 units per acre to be built on the site. The Planning Commission must determine the appropriateness of the rezoning in light of growth and development factors. There are other suitable locations in the City for this project. In addition, there is no access from a major street. Effinger Lane is 60 feet wide, which is the best access to the property, and this access will be shared with the single-family homes located to the east. Therefore, staff recommended denial on the rezoning.

Regarding the Site Development Plan Review, this is a multi-family apartment complex with a density of 24 units an acre, consisting of 21-bedroom and 32-bedroom units distributed among two-story buildings. The development meets parking standards, but staff has issues with the front setback and the trash enclosures because they do not meet the code, and it does not meet the Residential Adjacency Standards from the protected R-E property to the north. This would require that the buildings be set back approximately 75 feet from the R-E property line. MR. SWANTON noted that the applicant stated that revisions would be made to this plan, however staff has not seen those revisions. The landscaping is adequate as shown, except on the west property line a waiver is required for the lack of perimeter buffer landscaping. The rest of the landscaping on the site meets or exceeds the code requirements. Because of the issues with the density and the low-density areas to the east, staff recommended denial of the Site Plan. MR. SWANTON recommended that the Site Plan be held in abeyance for 30 days in order for the applicant to meet with staff regarding the residential adjacency issues and other issues that have not been resolved. A letter was received raising design issues, but the site plan addressed those issues and are acceptable from a code standpoint.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 25 – GPA-3670

**MINUTES – Continued:**

RICH HECKENDORF and SHARON TYNER-SABRAW and MARK SABRAW, Greater Nevada Planning, 657 Glenwood, Henderson, appeared on behalf of the applicant. MR. HECKENDORF stated that there is an abandoned house on the site, surrounded by duplex apartments to the west, a senior citizen complex to the south, and immediately to the north are two elementary schools. The house has been abandoned for a long time and in keeping with the guidelines of the City Council with regards to abandoned buildings, he is trying to redevelop this site. The best use for this land is to build apartments. He concurred with staff conditions. He requested that access be off of Lily Lane. As far as the 75-foot setback on the property to the north, he understands that a church was to be built there. They have tried to purchase that property, but were told that the intention is to still build a church. He believes the church is compatible with what exists.

MS. SABRAW stated that the biggest issue is the Rural Preservation designation. She referred to Senate Bill 244 where it states “it can be reviewed periodically authorizing a governing body to revoke that designation. Providing other matters properly relating thereto.” The property is completely surrounded by commercial properties and there is only one residence. She pointed out that students from the adjacent elementary schools might go into the abandoned property. She requested that the Commission approve the beautiful project and concurred with all conditions.

MR. SABRAW did not oppose holding the Site Development Review and suggested that it be held for 60 days for the opportunity to find out if it is a viable situation after the City Council considers the General Plan Amendment and the zone change. He pointed out that they have had three pre-application meetings on the same project and it seems that different issues arise. He was surprised at staff’s recommendation for denial. He believes that this would be a good addition to this particular piece of property.

COMMISSIONER EVANS asked DEPUTY CITY ATTORNEY BRYAN SCOTT to clarify NRS 278 and the Commission’s ability to waive that portion that is within the Rural Preservation Neighborhood. DEPUTY CITY ATTORNEY SCOTT replied that in the buffer area of the Rural Preservation Neighborhood, the Commission has the ability to zone it higher than three units per acre, if there is good cause to do so. Within the RPN itself it is regulated to two units per acre and there is no waiver of that provision. The buffer area is considered to be outside of the RPN and the Commission has the discretion to approve three units and above, if there is good cause to go above the three units per acre.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 25 – GPA-3670

**MINUTES – Continued:**

COMMISSIONER EVANS further asked for clarification on the inference that the RPN can be eliminated if certain conditions are met. DEPUTY CITY ATTORNEY BRYAN SCOTT replied that he was not certain if particular areas have been designated on the master plan as rural preservation. MR. CLAPSADDLE added that there are areas in the City, given the interlocal agreement with the County that are designated RPN, which is strictly two units per acre and that cannot be amended for the life of the agreement. In this instance the issue is the RPN buffer law and the only thing that makes this in the buffer is that there is a house on the parcel. If that house is demolished it would no longer be in the buffer area. He pointed out that areas from Lily Lane, down to Poppy Lane and McNight Street is low density, which allows more than three units per acre. The area surrounding it to the east, south and west are designated M. Therefore, staff objects because the applicant has not met the burden for a plan amendment. The applicant is responsible to present to the Commission the reason why the piece surrounded by low to the north and east cannot be developed as low residential density.

DEPUTY CITY ATTORNEY SCOTT commented that the abandoned home constitutes part of the Rural Preservation Neighborhood and if that house is demolished the RPN would still exist within the buffer.

COMMISSIONER McSWAIN referred to a letter submitted by MS. SABRAW referring to the Rural Preservation Neighborhood being reviewed periodically authorizing a governing body to revoke the designation of an area. She asked what governing body would authorize such a review. DEPUTY CITY ATTORNEY SCOTT replied that it would be the City Council. He recalled a time when the County was looking to designate certain areas as Rural Preservation Neighborhoods on their Master Plan Map, but the City has not gone through that procedure yet. He is not certain if that is taken on a case-by-case basis to determine that a Rural Preservation Neighborhood exists.

CHAIRMAN TRUESDELL asked that if this property falls within the RPN, would it not be appropriate for the applicant to hold the application, remove the residence and then come back and present this so there would not be any ambiguities. MR. SABRAW responded that staff made no indication that the building needed to be removed. If they had, the building would have been demolished. It would make sense if the Commission made this a condition and allow the applications to go through. CHAIRMAN TRUESDELL rebutted that the Planning Commission does not have the ability to change State law. MR. SABRAW asked for the opportunity to meet with staff to go over all the details pertaining to all items, and asked that the applications be held in abeyance.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 25 – GPA-3670

**MINUTES – Continued:**

COMMISSIONER McSWAIN commented that the Planning Commission is only a recommending board and asked that the item be heard. While she believes the applicant has a reasonable case, she has concerns about the amount of density being requested. She is also concerned about the evolution of this entire area, including the medium density on the opposite side. She would not want the applicant to meet with staff, demolish the property, come back and still have issues with the density abutting what is going to be a low density designated area.

TODD FARLOW, 240 North 19<sup>th</sup> Street, expressed concern about the high density adjacent to R-1. The new condominiums built in his neighborhood have been a nightmare for the past 25 years. The same will happen at this location. Secondly, Ward 3 has the highest density of any other ward. Cluster homes would work better. The Planning Commission should set an example of what should be built at this location.

TOM MCGOWAN, Las Vegas resident, stated that none of the issues are cut and dry. The Planning Commission should take the initiative to make a positive recommendation to the Council. There is nothing prohibitive about this project.

CHAIRMAN TRUESDELL remarked that similar items have come before the Planning Commission and the Board gets caught up in the interpretation of the RPN and the buffer and lose sight of what a good project this could be. He would like to resolve the RPN issue and then focus on the actual development. For this reason, the item should be held in abeyance. DEPUTY CITY ATTORNEY SCOTT clarified for the record that, even if the house is demolished, they will still be in the buffer and only allowed to do three units per acre, unless they come back with just cause to have the 25 per unit acre development. MR. SABRAW replied that it would be their intention to show that, and was amenable to the abeyance.

COMMISSIONER EVANS asked if would be appropriate to table the items. ROBERT GENZER, Director, Planning and Development Department, replied that he would prefer to set a specific date to avoid renotification.

COMMISSIONER STEINMAN commented that he visited the site and it makes sense to clean up this particular area and so the development would have less density. He encouraged staff to work with the applicant. COMMISSIONER EVANS pointed out that there was a good purpose for the creation of the Statute and possibly many municipalities were not adhering to that law. With regards to this particular application, he has issues with the density. DEPUTY CITY ATTORNEY SCOTT advised that the Commission could use those justifications as the just cause to get it over the three units per acre.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 25 – GPA-3760

**MINUTES – Continued:**

COMMISSIONER McSWAIN pointed out that she would support the 45-day abeyance request.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 25 [GPA-3670], Item 26 [ZON-3672] and Item 27 [SDR-3958].

NOTE: All discussion for Item 25 [GPA-3670], Item 26 [ZON-3672] and Item 27 [SDR-3958] was held under Item 25 [GPA-3670].

(6:40 – 7:14)

**1-1464**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**REZONING RELATED TO GPA-3670 AND SDR-3958 - PUBLIC HEARING - ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-3 (Medium Density Residential) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).**

**C.C. 06/16/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – ABEYANCE to 5/27/2004 Planning Commission meeting – UNANIMOUS**

**MINUTES:**

NOTE: See Item 25 [GPA-3670] for all related discussion.

(6:40 – 7:14)

**1-1464**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3670 AND ZON-3672 - PUBLIC HEARING - SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED 50-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 3 (Reese).**

**C.C. 06/16/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – ABEYANCE to 5/27/2004 Planning Commission meeting – UNANIMOUS**

**MINUTES:**

NOTE: See Item 25 [GPA-3670] for all related discussion.

(6:40 – 7:14)

**1-1464**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**GENERAL PLAN AMENDMENT RELATED TO ZON-3981 AND SDR-3982 - PUBLIC HEARING - GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**106**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning Commission – Petition submitted by Sharon Friend with signatures representing 80 residences.

**MOTION:**

**McSWAIN – DENIED – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

NOTE: COMMISSIONER McSWAIN disclosed that her grandfather at one time lived in the area.

NOTE: COMMISSIONER DAVENPORT disclosed that he does not have a conflict, even though one of his election signs is on the property. He has a contract with the sign company who puts the signs wherever they choose.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 28 – GPA-3977

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 28 [GPA-3977], Item 29 [ZON-3981] and Item 30 [SDR-3982].

GARY LEOBOLD, Planning and Development Department, summarized that the request is to change the designation on the three lots from DR (Desert Rural) to O (Office) land use designation. In 2001, the Planning Department conducted a major land use study that was undertaken because of the increased interest to develop many of the vacant lots in the Rancho/Charleston corridor for office and commercial uses. There was a Rancho/Charleston Land Use Study and Strategic Plan adopted by the City Council June 19, 2002. As stated on the plan on Page 21, the major goal is to “protect the existing residential neighborhood from any additional encroachment by commercial and or office uses”. That study designated the subject area and the large area around it for single-family residences at no more than two dwelling units to the acre. The subject proposal would create an island of commercial development in the midst of a larger existing single-family residential area that is designated and zoned for single family. The site, from a land use perspective, is affected by the Rural Preservation Neighborhood buffering. The 330-foot buffer exists because of the RPN located immediately to the north, east, and south. A neighborhood meeting was held on the General Plan with 15 people in attendance, who opposed the request. Staff recommended denial of the General Plan Amendment.

Regarding the rezoning, MR. LEOBOLD indicated that the rezoning would change the designation from R-E (Residence Estates) to PR (Professional Office Parking). The requested rezoning would conform to the requested General Plan Amendment, but as in the case of the GPA, it is inconsistent with the long range planning for the area and would represent spot zoning. Therefore, staff also recommended denial.

With regard to the Site Plan, the request is for an 11,200 square foot medical building on the north end of the site. Should the companion General Plan and zoning applications be approved, the requested project would conform to the code requirements. A loading zone needs to be shown. The roof height would need to be reduced. MR. LEOBOLD pointed out that because of the Residential Adjacency Standards, the proximity slope of three to one to the north boundary would require either moving the building or reducing of the 24-foot proposed roof by 18 feet. There is also a requirement for the landscaping, with regard to perimeter trees and the size of parking lots to be increased to meet code standards. The applicant has indicated that he is prepared to revise the site plan to meet the standards to the Code. This would be a great project on another site, but given the General Plan and the rezoning concerns, staff feels that it would be inconsistent with the long-range planning for the area. Therefore, staff recommended denial.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 28 – GPA-3977

**MINUTES – Continued:**

GINA PERRY, Owner/Broker of Heritage Realty Company and represents the sellers of the three parcels, which have not been able to sell. She also represents the buyer who would like to provide the community with a single story academic facility for acute spinal injury patients. The applicant is planning to construct a building with a residential look that will blend into the surrounding community. There will be lush landscaping and mounted perimeter landscaping where the parking lot will not be seen. It will not be a commercial site or lease office space. The facility will be used for research, patient care and out-patient surgery.

BILL CHRISTY, 2305 Karly Drive, resides near the proposed project. He pointed out that the property owner was given the opportunity to include it within the Scotch 80s Neighborhood with internal access, but refused that opportunity in order to improve their financial prospects with the parcel. Oakey Boulevard has always been residential from I-15 to Decatur Boulevard and asked that it remain that way. Secondly, the traffic in this area is constantly backed up from the intersection of Rancho Drive and Oakey Boulevard and it is difficult exiting Karly Drive. Adding 70 cars every half hour coming for doctor appointments would overburden this intersection. MR. CHRISTY remarked that the City beautified Alta Drive and asked that the same consideration be given to Oakey Boulevard and not allow any other use other than what exists.

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that area should remain residential.

BOB APPLE, 1405 Strong Drive, emphasized that Oakey Boulevard has been a residential neighborhood for a long time. The proposed project will be inappropriate for this neighborhood. He represents the Charles McNeal Neighborhood Preservation Association. He was involved in the 2001 Planning Development Land Use study and agrees with staff recommendations.

SHARON FRIEND, 2211 Bannie Lane, submitted a protest petition and asked that the Planning Commission deny the request.

JIM CHRISTENSEN, 2707 Bryan Avenue, concurred with staff recommendations and pointed out that academic and out patient seems inconsistent. The proposed business will increase traffic at that intersection and it is not appropriate to the nature and character of this residential neighborhood.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 28 – SDR-3982

**MINUTES – Continued:**

MICHAEL GREENE, 2209 Bonnie Brae Avenue, objected to the proposed change.

DAVID CLARK, 2401 Laurie Drive, opposed the proposed project. The neighborhood has single family dwellings and there are other suitable sites north of Charleston Boulevard where this project could be built.

KRISTA TYE, 2400 Laurie Drive, objected to the project and expressed concern that the increased traffic would impact a nearby City park and would create a safety issue.

THOMAS PITTMAN, 2300 Lasolana Way, stated that the proposed project should not be considered as a commercial or professional zoning because there are many children and the traffic would increase.

BETTY GONNIE, 2420 Laurie Drive, indicated that there have been many serious and fatal accidents at Rancho Drive and Oakey Boulevard.

SUE GOLD, 2416 Laurie Drive, stated that she has resided in this neighborhood for 30 years and wants it to remain as such. She indicated that she and her husband had the signal installed at the intersection of Oakey Boulevard and Rancho Drive. It is very difficult to get out of her residential cul-de-sac because of the increased traffic, and this project would add to that problem.

DIANA VASQUEZ, 1301 South Rancho Drive, opposed the commercial project. She suggested that the applicant look at the other three parcels.

D. HOPPER, 2908 Burton Avenue, pointed out that the heavy traffic on Rancho Drive makes it difficult for people to get out of their cul-de-sacs, creating a safety issue.

RICHARD THRELFALL, Architect, 6512 West Diablo Drive, stated that these three properties have been isolated from the residential portions to the east. All three properties have direct access onto Rancho Drive. These properties have never been developed and he is not aware of the reason why they were never sold. There are no sidewalks, proper curb and gutter and it is a safety issue for children who attend a nearby school. The proposed commercial development would develop all three lots, adhere to all landscaping requirements and provide street improvements. There would be a right-hand turn only to be used as entry and exit. There is the possibility of installing an island. Most of the traffic coming down Rancho Drive comes from other sources. The project will have seven spaces above what is required for a medical office.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item – 28 – SDR-3982

**MINUTES – Continued:**

There will be owner/tenant, which would guarantee maintenance, and it will be a daytime use only. If the property is left residential, there will not be any street improvements. In addition, there might be as many as three separate driveways and three separate garages creating a hazard for people trying to back up onto to Rancho Drive. There would not be any guarantees on landscaping. There is no guarantee that all three lots would be developed residential simultaneously. However, the proposed project will develop all three lots and resolve the issue of leaving the parcels vacant.

COMMISSIONER EVANS commented that one of the major goals of the Rancho/Charleston Land Use Study and Strategic Plan is to protect the existing residential neighborhood from any additional encroachment by commercial and or office use. He hopes that this does not open this particular corridor as spot zoning. The Glen Heather, McNeal Estates and the Scotch 80s are magnificent neighborhoods and office and commercial are not appropriate. Therefore, he would not support all of the applications.

COMMISSIONER McSWAIN concurred with COMMISSIONER EVANS. Many of homes are being renovated and the neighborhood has taken care of itself. It is unfortunate that these three parcels were left out. She stated she could not support the request.

COMMISSIONER STEINMAN stated that the owners of these properties made a mistake many years ago excluding themselves from the adjacent neighborhoods. He is extremely impressed with this area because it is a prime old Las Vegas area and it cannot be broken. Therefore, he did not support the applications.

COMMISSIONER DAVENPORT indicated that the proposed project would be in the heart of residential, therefore, he would not support the project.

CHAIRMAN TRUESDELL commented that it is unfortunate that the property owners did not do something more proactive years ago to be part of the residential. He would not have a problem supporting commercial on Charleston Boulevard, but this is a very difficult infill piece and it needs to find a residential solution. Therefore, he would not support the requests.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 28 [GPA-3977], Item 29 [ZON-3981] and Item 30 [SDR-3982].

NOTE: All discussion for Item 28 [GPA-3977], Item 29 [ZON-3981] and Item 30 [SDR-3982] was held under Item 28 [GPA-3977].

(7:14 – 7:44)

**1-2956/2-1**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**REZONING RELATED TO GPA-3977 AND SDR-3982 - PUBLIC HEARING - ZON-3981 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL -**  
Request for a Rezoning FROM: R-E (Residence Estates) TO: P-R (Professional Office and Parking) on 1.38 acres located adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**111**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – DENIED – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

NOTE: COMMISSIONER McSWAIN disclosed that her grandfather at one time lived in the area.

NOTE: COMMISSIONER DAVENPORT disclosed that he does not have a conflict, even though one of his election signs is on the property. He has a contract with the sign company who puts the signs wherever they choose.

**MINUTES:**

NOTE: See Item 28 [GPA-3977] for all related discussion.

(7:14 – 7:44)

**1-2956/2-1**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3977 AND ZON-3981 - PUBLIC HEARING - SDR-3982 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 11,200 SQUARE-FOOT MEDICAL OFFICE on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), R-E (Residence Estates) Zone, [Proposed: P-R (Professional Office and Parking) Zone], Ward 1 (Moncrief).**

**C.C. 05/5/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**106**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – DENIED – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

NOTE: COMMISSIONER McSWAIN disclosed that her grandfather at one time lived in the area.

NOTE: COMMISSIONER DAVENPORT disclosed that he does not have a conflict, even though one of his election signs is on the property. He has a contract with the sign company who puts the signs wherever they choose.

**MINUTES:**

NOTE: See Item 28 [GPA-3977] for all related discussion.

(7:14 – 7:44)

**1-2956/2-1**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**GENERAL PLAN AMENDMENT RELATED TO ZON-3987 AND SDR-3988 - PUBLIC HEARING - GPA-3985 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY** - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 1.30 acres adjacent to the south side of Via Olivero Avenue, approximately 950 feet east of Buffalo Drive (APN: a portion of 163-03-402-017), Ward 1 (Moncrief).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 31 [GPA-3985], Item 32 [ZON-3987] and Item 33 [SDR-3988].

GARY LEOBOLD, Planning and Development Department, explained that the General Plan Amendment is designed to facilitate the development of office and retail use on the overall site, as well as re-designate a portion of the site from R (Rural) to O (Office). The overall site is 4.86 acres. Historically, there was a band of rural designated land that was applied in this area to protect the desert rural low-density residential area to the north of Via Olivero Avenue.



PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 31 – GPA-3985

**MINUTES – Continued:**

Many of these sites have been converted to O or SC with limitations regarding access, design and building heights. Therefore, the General Plan Amendment only applies to the northern section. The remaining portion of the site is currently designated as SC and will remain as such. Approximately 40% of the northern portion is within a Rural Preservation Neighborhood buffer. MR. LEOBOLD pointed out that the good cause is reflected in the fact that there are no residential uses on this land between Via Olivero Avenue and Sahara Avenue. The applicants held a neighborhood meeting regarding the General Plan Amendment on March 15<sup>th</sup> and one individual attended with no objection to the proposal. Staff recommended approval.

With regards to the rezoning application, it is a two-part rezoning. The piece that is subject to the General Plan Amendment from R (Rural Density) to O (Office), would be rezoned from U (Undeveloped) zone to O (Office). The portion of the site that is currently SC (Service Commercial) would be rezoned from U to C1, (Limited Commercial), which is zoned for SC Land Use areas. As a result, the rezoning requests would conform to the General Plan Land Use and would be consistent with zoning that is in place along this portion of Sahara Avenue in both directions. Staff recommended approval.

MR. LEOBOLD explained that the initial request was for a 42,400 square foot office with 12,800 square feet of retail. After discussions with the applicant, the plan was revised. The one-story office building was divided into two buildings. MR. LEOBOLD presented a schematic on the overhead showing a larger and a smaller office building on the site. The retail component on Sahara Avenue is unaffected. The project conforms to code requirements, with the exception of the requested foundation-landscaping waiver, which is appropriate. They need to show four loading zones rather than two, as well as additional landscaping along the front of the site on Sahara Avenue. The applicants indicated that these issues would be addressed in the redesign. The site plan contains features that will eliminate impact on the low-density properties to the north, including low building heights at 20 feet; site illumination that is muted in the rear; no vehicular access to Via Olivero Avenue; heavy landscaping and berming along Via Olivero Avenue; and elimination of the sidewalk to preserve the rural feel of this area. MR. LEOBOLD presented a video illustrating other adjacent properties with similar features, such as landscaping. Since the General Plan and Rezoning request are consistent with long-range planning for the area, staff recommended approval.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 31 – GPA-3985

**MINUTES – Continued:**

GEORGE ROGERS, Architect, 4625 South Polaris Avenue, appeared on behalf of the applicant, KATHRYN ONG, who is one of the owners of the property and was also present. MR. ROGERS stated that the zone change and the General Plan Amendment are required. He felt that the neighborhood to the north of this plan is protected just as well as other adjacent properties with the landscape buffer, the wall and an O (Office) designation. He asked that the Commission approve the proposed project.

ROBERT LEEDS resides on South Pioneer Way and indicated that a meeting was held and the neighbors do not have particular issues with the proposed project, but asked that certain conditions be enforced in the construction of the facilities. He was pleased that there would no access onto Via Olivero Avenue. He expressed concern that homes valued at almost \$2,000,000 look over dealerships that have four-foot high barrier walls between the residential and commercial properties. He asked that an eight-foot wall be built along Via Olivero Avenue to alleviate that particular view. Thirdly, he pointed out that the dealerships have installed light poles approximately 100 feet high and directed outward making it difficult to watch television because the houses are completely illuminated. He asked that any lighting be directed downward.

JAMECE BARCELON, 2270 South Pioneer Way, presented a letter from her neighbor who resides at 2271 South Pioneer Way. MS. BARCELON concurred with MR. LEEDS' concerns and was pleased that the vehicular access onto Via Olivero Avenue is not being considered. She was concerned about the reduction of the landscaping. It is a nice neighborhood, and there are residential homes up to Buffalo Drive, on the south side of Via Olivero Avenue. She understands that retail needs do be along the Sahara Avenue corridor, but asked for consideration of a neighborhood friendly design.

SCOTT SHIELDS appeared on behalf of his clients, ROXANNE SHERIDAN and GIL PURCELL, who own property at 2281 Pioneer Way. Their property is located directly across the street from the proposed project. His clients purchased the multi-million dollar home in 1992. Although they do not oppose the property being developed, they are concerned about the lighting overflowing into their backyard. In addition, employees from the dealership park along Via Olivero Avenue, creating noise pollution, not to mention, a parking lot effect. Currently, there is a 4½-foot concrete dividing wall separating their backyard from Via Olivero Avenue. He asked that the wall be raised to eight feet to create a sound barrier and provide additional privacy.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 31 – GPA-3985

**MINUTES – Continued:**

TOM McGOWAN, Las Vegas resident, clarified with ROBERT GENZER, Director, Planning and Development Department, that the light poles are not a hundred feet high. In this particular case, a condition limits the height of any light pole to 20 feet. MR. McGOWAN asked what steps have been taken by the developer to protect the privacy of the adjacent property owners. He does not object to the development.

MR. LEOBOLD clarified that conditions were erroneously added on the backup for the General Plan Amendment. In addition, he pointed out that a 20-foot wide utility easement along the back of the property will add to the landscaping that is required on the outside of the wall.

MR. ROGERS reassured the neighbors that all their comments would be taken into consideration. In fact, he was amenable adding a condition that the wall along Via Olivero Avenue would be eight feet. There are no driveways, and the light poles are limited to 20 feet. The site plan depicts some covered parking adjacent to Via Olivero Avenue, which should eliminate any light poles. Lastly, MR. ROGERS indicated that even though some foundation landscaping is not around some of the buildings, it does not mean the landscape buffers are not around the property. In fact, staff found that the application did not have sufficient trees and recommended additional trees be provided. MR. ROGERS concurred with all of those conditions. He asked that the Commission approve the Site Plan presented tonight. MR. LEOBOLD commented that the difference is the plan shows two buildings rather than the initial application that was submitted for one office building.

CHAIRMAN TRUESDELL stated that he did not have a problem with the General Plan Amendment and believes it is appropriate for this particular corridor. However, he was concerned about the site plan, and asked what type of tenants would occupy the two buildings. MR. ROGERS replied that the rear buildings are intended for multi-office and professional tenants. The building in the front is intended for retail.

MR. LEOBOLD confirmed with COMMISSIONER McSWAIN that Condition 3 in the original site plan would also be applicable to the plan. COMMISSIONER McSWAIN commented this would take care of any concerns regarding ingress and egress to the rear of the building because the approval would be based on the current plan. MR. LEOBOLD further confirmed that architectural features would be addressed in Condition 7. COMMISSIONER McSWAIN requested that a condition be added that the height of the block wall be eight feet, and that there be no ingress or egress onto Via Olivero Avenue.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 31 – GPA-3985

**MINUTES – Continued**

ROBERT GENZER, Director, Planning and Development Department, asked that the block wall condition be specific to the Via Olivero Avenue frontage so that they would be allowed to do six feet along the east side property line. In response to DEPUTY CITY ATTORNEY BRYAN SCOTT'S query regarding the submission of the new site plan, MR. LEOBOLD indicated that it could reflect the date that the site plan was received or presented. COMMISSIONER McSWAIN amended Condition 3 to reflect that the development conform to the site plan submitted at this meeting.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 31 [GPA-3985], Item 32 [ZON-3987] and Item 33 [SDR-3988].

NOTE: All discussion for Item 31 [GPA-3985], Item 32 [ZON-3987] and Item 33 [SDR-3988] was held under Item 31 [GPA-3985].

(7:44 – 8:07)

**2-560**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**REZONING RELATED TO GPA-3985 AND SDR-3988 - PUBLIC HEARING - ZON-3987 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] TO: O (Office) and FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 4.86 acres adjacent to the north side of Sahara Avenue, approximately 950 feet east of Buffalo Drive (APN: 163-03-402-017), Ward 1 (Moncrief).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 31 [GPA-3985] for all related discussion.  
(7:44 – 8:07)

**2-560**

**CONDITIONS:**

Planning and Development

1. A General Plan Amendment (GPA-3985) to an O (Office) land use designation on a portion of the site approved by the City Council.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 32 – ZON-3987

**CONDITIONS – Continued:**

2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application (SDR-3988) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. The south side of Via Olivero Avenue shall be developed with landscaping and berming and without a sidewalk, using a design consistent with that on other developed parcels on the south side of Via Olivero Avenue.

Public Works

5. Dedicate 30 feet of right-of-way adjacent to this site for Via Olivero Avenue and dedicate an additional 14.5 feet of right-of-way for a total half-street width of 75 feet on Sahara Avenue adjacent to this site prior to the issuance of any permits.
6. Construct all incomplete half-street improvements on Via Olivero Avenue and Sahara Avenue adjacent to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 32 – ZON-3987

**CONDITIONS – Continued:**

Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site..

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3985 AND ZON-3987 - PUBLIC HEARING - SDR-3988 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and a Waiver of foundation landscaping standards FOR A PROPOSED 42,400 SQUARE-FOOT OFFICE BUILDING AND 12,800 SQUARE-FOOT RETAIL BUILDING on 4.86 acres adjacent to the north side of Sahara Avenue, approximately 950 feet east of Buffalo Drive (APN: 163-03-402-017), U (Undeveloped) [R (Rural Density Residential) and [SC (Service Commercial) General Plan Designations], [Proposed: O (Office) and C-1 (Limited Commercial) Zone], Ward 1 (Moncrief).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED** subject to conditions, amending Condition 3 that the development conform to the site plan as submitted on 4/8/2004; amending Condition 14 that the height of the block wall fronting on Via Olivero Avenue shall be eight feet; and amending Condition 18 to reflect 4/08/04; and the following added condition:

- *There shall be no ingress or egress on Via Olivero Avenue.*

– UNANIMOUS

To be heard by the City Council on 5/5/2004

**MINUTES:**

NOTE: See Item 31 [GPA-3985] for all related discussion.

(7:44 – 8:07)

2-560



PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 33 – SDR-3988

**CONDITIONS:**

Planning and Development

1. A Rezoning (ZON-3987) to O (Office) and C-1 (Limited Commercial) Zoning Districts approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an extension of time is granted.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect four loading zones.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site.
6. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24 inch box trees 20 feet on center and a minimum of four five gallon shrubs for each tree within provided planters to the rear of the site and 30 feet on center to the front and sides of the site.
7. The elevations shall be revised and approved by staff prior to the time application is made for a building permit with additional architectural features to enhance façade articulation.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 33 – SDR-3988

**CONDITIONS – Continued:**

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.
12. A Master Sign Plan shall be submitted for approval by the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards must be satisfied.
17. No turf shall be permitted in the non-residential common areas, such as medians and amenity zones in this development.
18. All development shall be in conformance with the site plan and building elevations, date stamped 01/30/04, except as amended by changes submitted on 04/02/04 and by these conditions.
19. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department showing a minimum 12.5 % of the total landscaped area as turf.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 33 – SDR-3988

**CONDITIONS – Continued:**

Public Works

20. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
21. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
22. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Via Olivero Avenue adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the Sahara Avenue and Via Olivero Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
24. Site development to comply with all applicable conditions of approval for ZON-3987 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**GENERAL PLAN AMENDMENT RELATED TO ZON-4003, SDR-4004 VAR-4005 - PUBLIC HEARING - GPA-4000 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), Ward 1 (Moncrief).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>7</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – Motion for Approval subject to conditions did not carry with TRUESDELL, GOYNES, EVANS, DAVENPORT and STEINMAN voting No (Failure to pass is tantamount to a denial)**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 34 [GPA-4000], Item 35 [VAR-4005], Item 36 [ZON-4003] and Item 37 [SDR-4004].

DAVID CLAPSADDLE, Planning and Development Department, explained that the General Plan Amendment allows up to 12 dwelling units per acre. The surrounding areas to the northeast

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 34 – GPA-4000

**MINUTES – Continued:**

and south is DR (Desert Rural) and the request is to allow a density of more than six times the density currently allowed on the project. The Code clearly states that the onus and the burden of proof to approve a General Plan Amendment is on the applicant. The applicant needs to show why that property cannot be developed as it is and why the proposed MLA is a reasonable use of property. Staff does not believe the applicant has met that burden with this General Plan Amendment. The same is true for the rezoning for the R-PD10. Regarding the Variance, five acres are needed for a residential plan development. The applicant has approximately 2.93 acres, which is a 41% deviation. The setbacks in the front are less than three feet, which makes the project even denser than what the R-PD10 would allow. Therefore, staff recommended denial on the Variance as well.

MR. CLAPSADDLE added the parcels would be mapped as individual lots, although they are attached single family. There are twenty-four attached single-family units and four detached units. Lots 3, 16, 20 and 26 will be the detached single-family homes. Residential adjacency standards do not apply even though they are attached units. These are single-family units, not multi-family units. MR. CLAPSADDLE emphasized that even though they are three-story buildings, they do not exceed 35 feet in height. There have been occasions where detached single-family homes and detached two-story dwellings were 35 feet in height. However, in this case, the height standard does not deviate from the Code.

MR. CLAPSADDLE expressed a concern with the driveways to the lots. On the Site Plan, the driveways are not shown as part of the lots and should be. The applicant has indicated that they will include the driveways as part of the lot. The applicant will re-orient the open space so there is more open space between this project and the abutting single-family project to the east of the site, which will ensure that the driveways are part of the lots. Based on the fact that the applicant has not met their burden for the General Plan Amendment and the Variance, the density is six times the density of the surrounding area, the R-PD10 is not an appropriate zoning, and the concerns with the Site Plan, the recommendation on all four applications is for denial.

SCOTT COLLINS, 11424 Rancho Portena, President, Lansing Communities, Inc. stated that the project was difficult to design. Several meetings were held with the neighbors and they have tried to meet the demand for residential along that corridor. The open space has been moved to the east side of the property to give the larger setback and will not encroach the adjacent houses. MR. COLLINS indicated that the Site Plan has been re-engineered and would like to go forward with it. The design of the property is situated approximately 10 feet higher than the property to

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 34 – GPA-4000

**MINUTES – Continued:**

the east. They have instructed their engineers and landscape designers to develop a plan, which will stagger with retaining walls and mature landscaping to give a green border and privacy to those neighbors. Regarding the land use, this property is an island with access only to Buffalo Drive, which is a 100-foot wide artery. A road that size, with multi-family or commercial, would be applicable.

MR. COLLINS indicated that the nature and intent of the R-PD zoning was to provide an opportunity to come up with something different than the normal standard developments. He felt they have presented a new and exciting project that has not been done in the Las Vegas market, and have received favorable responses from buyers around the area. The site plan and the design of the project are within the R-PD guidelines. Even though the property is less than five acres, it is an infill piece. The goal is to keep the area residential, as the residents have requested.

TOM McGOWAN, Las Vegas resident, commended the applicant on an attractive presentation with creative and innovative ideas. However, the issue is the high density. He asked what is the compelling need for the excessive density.

TODD FARLOW, 240 N. 19<sup>th</sup> Street, disagreed with the applicant's view that this is an infill project. He concurred with staff recommendation and felt the project is too close to residential.

JOHN GALLEGOS, 1625 Marbella Ridge Court, Vice President of his homeowners association, stated that a meeting was held on March 31<sup>st</sup> and 13 homeowners were present. The general consensus was that the project is too dense for the land and too close to their properties. The three-story buildings will take away their privacy because they are 10 feet lower. Many of the residents have pools in their backyards and do not want to worry about prying eyes. He thanked MR. COLLINS for working with the residents, and they are pleased that the applicant will provide a landscape buffer tiered from the neighbors' side. However, he feels the project is still too close to their homes. MR. GALLEGOS asked that the structures be changed to a two-story with less density.

MARILYN STOWE, 1609 Marbella Ridge Court, thanked staff for their recommendation of denial. The property is within two acres of the newly proposed and upcoming Social Security building. Although she opposes the project, she stressed that the residents on Marbella Ridge Court are anxious to see this property developed with something everyone can live with. This corridor has changed over the years, and they do not want this land vacant for years to come.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 34 – GPA-4000

**MINUTES – Continued:**

CLETA THOMPSON strongly opposed the R-E (Residential Estates) to R-PD10. Her home is over 4,500 square feet and was built on a half-acre lot south of this project and is surrounded by other large homes on half-acre lots. COMMISSIONER EVANS verified with MS. THOMPSON that her property is located immediately adjacent to the proposed project.

MR. COLLINS reiterated that this is a difficult piece of property. The applicant has worked very closely with the residents to come up with a design that the majority of the neighborhood would approve. In addition, he felt that the issues regarding the density, clustering, and the amount of open space have been addressed and these requirements have been met. The height of the building is 35 feet, regardless if it is a two-story or three-story residence. The majority of houses within the adjoining neighborhood are at 35 feet as well. The average home is approximately 2,950 square feet. They are trying to create a community that fits in and compliments the surrounding area. With the high traffic on Buffalo Drive, this project will create a buffer into their neighborhood.

COMMISSIONER McSWAIN commended MR. COLLINS for taking the spirit of the R-PD and running with it. It is unfortunate that there are not more in the outer areas that are less controversial. She pointed out that Planning Commission unanimously approved a similar application for a beautiful office building located just north of this site. She supported that application mainly due to the width of Buffalo Drive, the transition of the area and the regional park directly across the street. The residents wanted residential and did not accept a very beautiful commercial property that would have acted as a buffer to this neighborhood. She would be remiss if she would not support a residential project that has gone a long way in accommodating the transitioning of this area, when she was willing to support an office project adjacent to this project.

COMMISSIONER STEINMAN stated that this is invasive planning because of the number of units per acre. The building would have to be pushed five feet away from the houses in the rear. They would look like those located off Alta around the back exit of the Sun Coast Casino. He does not believe that this project is conducive with the type of residential behind this project. A modification on a per acre basis would permit the applicant to take the homes further away from the lot line. Therefore, he would not support this project at this particular density. MR. COLLINS disputed that the setbacks, after the open space is moved to the back of the property, gives quite a bit of separation. It is within five feet from the existing residential properties to the property in question. COMMISSIONER STEINMAN remarked that that is not relevant because if this were two to the acre, a 35-foot house would be positioned at a point on that lot and would not be invasive. But by taking it to 10, it has created an invasive situation. MR. COLLINS rebutted that this land is not conducive with the access to Buffalo Drive.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 34 – GPA-4000

**MINUTES – Continued:**

COMMISSIONER DAVENPORT asked MR. COLLINS what the distance was between the residents' back property lines and the footings of the proposed building. MR. COLLINS responded that it is approximately 20 feet from the back of the building to the property line.

COMMISSIONER NIGRO commended MR. COLLINS on a very unique and high end project. He concurred with COMMISSIONER McSWAIN'S comments. The same privacy issues will exist on this site if a two-story lower density house, 20 feet from the rear property line were built on this property. It is not a density issue, but a quality of development issue because the same issues could exist regardless of whether it is six to the acre or eight to the acre. There are different opinions as to whether properties should be commercial or professional in these types of locations. If not commercial, then a high quality unique residential development can enhance the area, similar to what exists in a master planned community such as Summerlin or Green Valley. There are apartments next to a third acre or half-acre lots and single family next to shopping centers. It can be done if planned well. This project has been planned well being wedged in between some larger lots with a 100-foot wide right-of-way like Buffalo Drive.

Even though the applicant presented a unique plan, CHAIRMAN TRUESDELL did not support the project entirely. He referred to a similar development on Rancho Drive, except it was a two-story single family that encompassed about a four-acre tract. The residents were adamantly opposed to the project and the density issue of two units, the project did not happen and now it is a problematic corner. His concern with the proposed project is the setback from the Desert Rural to the east side. It is not strictly a density issue, but there are too many units at a three-story height that push this project against the property lines. He suggested moving some of the open space, installing a streetscape along Buffalo Drive, and come with a tier that gives the privacy for residents on the east side, and at the same provide a project that makes some sense along that corridor. He wished that those parcels were presented all at once so that the residents would not have had to attend several meetings on the same issue. MR. COLLINS remarked that they have worked closely with staff in trying to cluster the open space. However, if the open space is divided too much, the City will not consider it as open space. Secondly, by clustering there will be too many drives and streets with no open space. The density has been reduced from the original plan.

Referring to COMMISSIONER STEINMAN'S comments about the project across from the Suncoast, MR. COLLINS pointed out that that is a different design with three stories straight up. However, the proposed project is staggered with decks.



PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 34 – GPA-4000

**MINUTES – Continued:**

CHAIRMAN TRUESDELL verified with MR. CLAPSADDLE that the maximum density for medium low is eight units per acre. The applicant is asking for medium low attached, which allows up to 12 units per acre. He further clarified that if the application would be approved at medium low attached there would potentially be 36 units on the site.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 34 [GPA-4000], Item 35 [VAR-4005], Item 36 [ZON-4003] and Item 37 [SDR-4004].

NOTE: All discussion for Item 34 [GPA-4000], Item 35 [VAR-4005], Item 36 [ZON-4003] and Item 37 [SDR-4004] were held under Item 34 [GPA-4000].

(8:07 – 8:41)

**2-1396**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VARIANCE RELATED TO GPA-4000, ZON-4003 AND SDR-4004 - PUBLIC HEARING - VAR-4005 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 2.92 ACRES WHERE A MINIMUM OF FIVE ACRES IS REQUIRED located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone, Proposed: R-PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**5**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**STEINMAN – DENIED – Motion carried with McSWAIN and NIGRO voting No**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 34 [GPA-4000] for all related discussion.

(8:07 – 8:41)

2-1396

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**REZONING RELATED TO GPA-4000, SDR-4004 AND VAR-4005 - PUBLIC HEARING - ZON-4003 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD10 (Residential Planned Development - 10 Units per Acre) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), Ward 1 (Moncrief).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>5</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**STEINMAN – DENIED – Motion carried with McSWAIN and NIGRO voting No**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 34 [GPA-4000] for all related discussion.

(8:07 – 8:41)

2-1396

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4000, ZON-4003 AND VAR-4005 - PUBLIC HEARING - SDR-4004 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.** - Request for a Site Development Plan Review FOR A 28-UNIT ATTACHED SINGLE-FAMILY DEVELOPMENT on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone, Proposed: R-PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>5</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**STEINMAN – DENIED – Motion carried with McSWAIN and NIGRO voting No**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 34 [GPA-4000] for all related discussion.

(8:07 – 8:41)

**2-1396**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**MAJOR MODIFICATION - PUBLIC HEARING - MOD-3955 - APPLICANT: CLIFFS EDGE, LIMITED LIABILITY COMPANY - OWNER: CLIFFS EDGE, LIMITED LIABILITY COMPANY, ET AL - Request for a Major Modification to the Cliff's Edge Master Development Plan TO CHANGE LAND USE DESIGNATIONS FROM: VILLAGE COMMERCIAL TO: MEDIUM LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL; FROM: MEDIUM DENSITY RESIDENTIAL TO: RESIDENTIAL SMALL LOT; AND FROM: MEDIUM LOW DENSITY RESIDENTIAL TO: PUBLIC FACILITIES; TO MODIFY SECTION 6.2.3 REGARDING RETAINING WALLS; AND TO MODIFY TABLE 1 (SECTION 2.2) TO REFLECT CHANGES TO THE LAND USE CATEGORIES on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road (APN: 126-13-401-014; 126-13-701-002, 003, 004, and 008; 126-24-501-004; 126-24-601-002 and 003), PD (Planned Development) Zone, Ward 6 (Mack).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her company has been awarded a gas contract that benefits this project**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 38 – MOD-3955

**MINUTES – Continued:**

GARY LEOBOLD, Planning and Development Department, explained that the application is driven by two changes. One is the reduction in the amount of Village Commercial depicted on the map as three and four, and by a correction to the pump and reservoir site numbered 1 to include the full 20 acres dedicated to that purpose within that area. The plan was approved in March of 2003 and has undergone subsequent amendments. The applicant is trying to rebalance proposed land uses within the overall plan based on the land assemblage and other factors. The changes are basically a reduction in Village Commercial. The area has been changed with different residential densities. There has to be an adjustment so that the overall residential density within the planned area remains under the eight-unit per acre maximum that is prescribed on the P-CD land use designation in the General Plan. The change is to add 50 residential units to the planned area based on the redistribution of allowed residential densities.

MR. LEOBOLD indicated that there is a table that gives all the acreages and total units within the area. In the design guidelines portion of the document, the applicant is proposing to add a new fourth paragraph to the height and setback subsection of Section 623, retaining walls. The addition is for common areas greater than 15 feet in width while terracing may be allowed within the common areas. For common areas 15 feet or less, terracing must occur within the builder's parcel and an additional dedication to the HOA is required. Staff feels this is a positive change because it will ensure that larger areas are uninterrupted by changes in grade through terracing, and it will clarify the intent of the use of these common areas in the plan. Therefore, staff recommended approval.

ATTORNEY MARK FIORENTINO and CALVIN CHAMPLIN appeared on behalf of the applicant and concurred with all conditions.

TODD FARLOW, 240 North 19<sup>th</sup> Street, expressed concern about losing too much commercial. The Town Center was planned for mixed use with residential above commercial. He suggested that the applicant create a similar design.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:41 – 8:47)

2-2886

**CONDITIONS:**

Planning and Development

1. Conformance to the Cliff's Edge Master Development Plan, as appropriate, except as amended by this request.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 38 – MOD-3955

**CONDITIONS – Continued:**

2. Within the Cliff's Edge Master Development Plan, revise Table 1, Cliff's Edge Planned Land Use (page 9), as follows:
  - Reduce Medium Residential acreage from 85.5 acres to 75.5 acres, and reduce total units from 2,138 to 1,888;
  - Increase Residential Small Lot acreage from 125 acres to 145 acres, and increase total units from 1,875 to 2,175;
  - Reduce Village Commercial acreage from 30 acres to 15 acres;
  - Increase Public Facility acreage from 205 acres to 210 acres;
  - Remove 10 acres noted as "not a part";
  - Increase overall total units from 9,042 to 9,092 units; and
  - Change the overall density notation from 7.89 u.p.a. to 7.93 u.p.a.
3. Within the Cliff's Edge Master Development Plan, revise Figure 2, Planned Land Use (page 10), as follows and as illustrated on the revised copy of Figure 2 as submitted:
  - Change Pod 125 from VC (Village Commercial) to M (Medium Density Residential);
  - Change the southwest five acres of Pod 122 from VC (Village Commercial) to ML (Medium-Low Density Residential);
  - Change Pod 113 from M (Medium Density Residential) to RSL (Residential Small Lot); and
  - Change the southwest five acres of Pod 115 from ML (Medium-Low Density Residential) to P&R (Pump and Reservoir).
4. Within the Cliff's Edge Design Guidelines, add a new fourth paragraph to the "Height and Setback" subsection of Section 6.2.3 (Retaining Walls) on page 6-4, to read as follows:

"For common areas greater than 15 feet in width, wall terracing may be allowed within the common area. For common areas 15 feet or less, terracing must occur within the builder's parcel and additional dedication to the HOA is required."

Public Works

5. An update to the Master Sewer Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 38 – MOD-3955

**CONDITIONS – Continued:**

the submittal of any construction drawings. Comply with the recommendations of the approved sewer study prior to occupancy of any units within this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**REZONING RELATED TO SDR-3979 AND SUP-3980 - PUBLIC HEARING - ZON-3976 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 3.88 acres adjacent to the southeast corner of Thom Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002), Ward 6 (Mack).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**132**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning – Petition submitted by Carol Healey with 115 signatures

**MOTION:**

**GOYNES – DENIED – UNANIMOUS with NIGRO abstaining because Chrysalis Investments, LLC are his tenants**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 39 [ZON-3976], Item 40 [SUP-3980], and Item 41 [SDR-3979].

GARY LEOBOLD, Planning and Development Department, stated that the request will conform to the current General Plan Land Use designation that applies to this, as well as land to the east

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 39 – ZON-3976

**MINUTES – Continued:**

and the south of this property. Staff recommended approval of the rezoning request. The Special Use Permit, with the approval of the rezoning, would conform to Title 19 requirements. Regarding the site plan, the site consists of two one-story and two two-story mini warehouse buildings, an enclosed RV storage building, 14 covered RV spaces and an officer/manager apartment building. On an interim basis, the applicant is requesting that access be provided from Thom Boulevard. Upon the full street dedication on Rome Boulevard, access would switch over to Rome Boulevard with the emergency access at Thom Boulevard. The Site Plan meets the code requirements with the exception of requiring street trees on Rome Boulevard and a roof trash enclosure. As a result, staff recommended approval.

SCOTT BAKER, 7225 South Bermuda Road, appeared on behalf of the applicant and concurred with staff conditions. He pointed out that the one story building on the perimeter will help set back the two story building, which is 24 feet high.

TODD FARLOW, 240 North 19 Street, verified with CHAIRMAN TRUESDELL that the properties surrounding the parcel have been granted for a Resolution of Intent to C-1.

The following speakers adamantly opposed the application and a condensed recap of their comments are noted below: CAROL HEALEY, 6501 Mimosa Valley Street, President of the Homeowner's Association, Meister Park North; CHUCK WELLS, 5200 Hackberry Hill; BEVERLY JUNIOR, 6612 Sycamore View Street; TOM IRVING, 5204 Hackberry Hill; OZZIE HURT, 5208 Hackberry Hill; JIMMY NAVARRO, 6713 Hawthorne Creek Court; BONNIE MACK, 6720 Sycamore View Street; JO WILLFONG, 6516 Mimosa Valley Street; ED CONINGFORD, 5217 Primrose Flower Avenue; DORIANN MYERS, 5201 Primrose Flower Avenue; JESSIE TATE, 5213 Blue Evergreen Avenue; GREG DIGLES, 5508 Mesquite Meadow Court; VERNA LUTZ, 5208 Primrose Flower Avenue; ALBERT CLAPP, 6710 Pyracantha Glen Court; TREVOR LUTZ, 5208 Primrose Flower Avenue; SUNNIE GRIGSBY, 6493 Lantana Falls Court; DONALD JOHNSON; JANET BEAL, 5216 Elm Hill Court; SHIRNICE VILLANO, 5212 Elm Hill Court; SYDNIE-CHAM RANE, 5209 Primrose Flower Avenue; ALAN DIXON, 5216 Primrose Flower Avenue; JOHN FOREMAN, 6501 Gazania Street.

A protest petition was submitted with 115 signatures. This particular area is relatively new and the homes range in sizes from 2500 to 3305 square feet. Should this application be approved, some residents will be looking to sell their homes. Crimes are affiliated with self-storage units,

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 39 – ZON-3976

**MINUTES – Continued:**

such as women beaten in these units, theft, stored illegal contraband, stolen property, guns, bombs, drug paraphernalia and drugs that are cooked in these facilities. It could become a haven for transient, a dumping ground for abandoned personal belongings, and will create trash and debris. Thom Boulevard is a very narrow street and there are concerns about traffic congestion and driving hazards, especially if motor homes are stored in this facility. Many of the residents moved into this neighborhood believing it was zoned for residential and did not realize commercial use was also included. This is spot zoning within residential areas, and this might set a precedent for commercial uses in other areas on Thom Boulevard. The residents are concerned about the only access being off of Rome Boulevard, which would mean that truck traffic would be through the residential community. The residents would prefer having more residential estates or even a park rather than commercial. The homes have escalated in value, but a two-story storage unit will be detrimental to the value of their homes. The zoning is inappropriate for this area.

Many residents invested money to upgrade their backyards, and some of these backyards border Thom Boulevard making the mini storage visible from the backyards. The residents would like to maintain the integrity of their community as residential estates and would like the opportunity to establish it as an old community, such as the neighborhood on Oakey Boulevard and Rancho Drive. Some residents believed that a park would be built at this location.

One resident stated that there are no mini storages that resemble residences. This type of planning will force residents to move out of this area. The residents were led to believe that no commercial development was planned for this site. The existing residential lots range from 10,000 to 17,000 square feet. The detached homes are on a 50-foot average range, and the residents want to maintain the rural and peaceful environment. Many of the homes have beautiful views. Many residents made sacrifices to obtain the house of their dreams.

A resident was concerned about trying to get in and out with a motor home when the street is only 60 feet wide. This would add to the already existing traffic congestion at this location. Traffic will increase on Thom Boulevard as well.

Some of the residents suggested the applicant consider other vacant land for building a storage facility on US95 and Centennial Parkway or along the 215, where there is more commercial. Additionally, there are other storage facilities being built on Decatur Boulevards and existing

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 39 – ZON-3976

**MINUTES – Continued:**

units on Jones Boulevard. Most of the residents that spoke do not live in a gated community, and when they looked into that possibility, the cost to the Homeowner's Association was \$50,000 per gate. The cost at that time was prohibitive because there would have to be five gates. However, the residents might have to reconsider the idea of a gated community depending on the action taken tonight.

MR. LUTZ indicated that he has managed seven self-storage facilities and they become crime targets. The proposed mini storage facility will have a disastrous affect on the surrounding residential neighborhood.

CHAIRMAN TRUESDELL commented that the surrounding property to the east and the south of this site have been approved for C-1 zoning. DAVID CLAPSADDLE, Planning and Development Department, added that at one point this parcel was also zoned C-1, but the Resolution of Intent expired. MR. IRVING asked what would the other three properties labeled residential estates and then ROI-C-1 be. CHAIRMAN TRUESDELL replied that he should assume that they would be commercial.

MS. MACK asked if the property labeled R-E and ROI is residential and commercial or strictly commercial. MR. LEOBOLD replied that the land use is prescribed through the General Plan, which sets out SC (Service Commercial) as the land use for that entire quadrant to that corner. The zoning sets the parking requirements and setbacks. What is shown is that it is R-E, but it has a Resolution of Intent to C-1 with a period of time on it, that if the applicant does not act within that time limit, it reverts back to C-1, which is what happened on this parcel. The remainder of the site, the ROI continues to be active and with the assumption that it is commercial zoning. He further pointed out that across the street in North Las Vegas there is C-2 and they have commercial land that they have designated on the east side of Decatur Boulevard.

MS. LUTZ read some newspaper headlines on crimes affiliated with mini storage units. CHAIRMAN TRUESDELL remarked that these crimes did occur, but with regards to evaluating a zoning application, the Commission cannot assume that the developer would let these acts happen. The focus should be on the zoning application.

MR. BAKER stated that, although he cannot guarantee that these crimes would not happen, he indicated there will be 24-hour security cameras. The hours of operation are from 7:00 a.m. to 6:00 pm., but they can be changed. A previous applicant let the commercial zoning timeframe

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 39 – ZON-3976

**MINUTES – Continued:**

expire and the current applicant is trying to reinstate the commercial zone. This particular project will not have people on the second floor looking into backyards. Thom Boulevard is 60 feet wide with a 10-foot wide minimum landscape strip. The first building will be 30 feet deep and another 35 feet to the two story building. He does not believe that the top of the proposed buildings would be seen from the residents' backyards.

MR. BAKER pointed out that a condition requires that access be provided on Rome Boulevard out to Decatur Boulevard. He worked with staff to provide the entrance on Thom Boulevard because of the access issue on Rome Boulevard. Once Rome Boulevard is developed, the access would then be on that portion of it and away from Thom Boulevard. He has represented similar projects that have worked as a buffer for residential. Due to this land's proximity to 215, he does not believe that this land would ever be used as residential.

He admitted to CHAIRMAN TRUESDELL that he did not meet with the residents, but he would be willing to meet with them. COMMISSIONER GOYNES pointed out that in 2001, the City Council approved the C-1 with a two-year time limit and after two years it reverted to R-E. He suggested that the applicant have a meeting with the residents. He indicated that staff recommended approval under Title 19.18.040 and found the use is compatible because of the other surrounding C-1 parcels. He cautioned the residents to be informed on what the allowable uses in the C-1 zoning. COMMISSIONER GOYNES was not pleased with the use and could not support the use of the mini storage.

COMMISSIONER McSWAIN was curious as to why the zoning was initially C-1, and asked if there were any other projects pending because they expire next year. MR. LEOBOLD responded that they have not had any applications for commercial development. The SC (Service Commercial) designation has been in place since 1996 when the Northwest Sector Plan was being developed. A direction from that was to concentrate the major commercial development into Town Center. This is one of the few locations in the Centennial Hill sector that is outside of Town Center that is commercial. This was considered to be a good thing because it was clustered around the Beltway/Decatur interchange with anticipation that the land would probably be used for limited commercial, i.e. shopping center.

COMMISSIONER McSWAIN agreed that a storage unit can act as a buffer; however, having one at this site may not be appropriate due to the cluster problem, the elevations, and trying to keep the storage unit from looking as such and making it appear more residential from the outside. As a result, she would not support this application.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 39 – ZON-3976

**MINUTES – Continued:**

COMMISSIONER STEINMAN commented that the residents should also get involved in finding out from the City what the zoning is for a particular parcel. Secondly, the residents should not judge the Commission by their body language, as one resident believed the Commission was indifferent with regards to their concerns. He believed that this particular use does not belong on this corner. It belongs on Decatur and 215, which are located, away from residential homes. The zoning is proper, but the usage is not appropriate and he would not support this application.

CHAIRMAN TRUESDELL concurred with COMMISSIONER STEINMAN. Staff made a recommendation based on the master plan. This has been on the map for many years and it is unfortunate that the real estate community does not make full disclosure as to what will be in the neighborhoods. He is concerned about the fact that the only access from this property is Thom Boulevard and Rome Boulevard. He assured the residents that no one on the Commission has made a predetermined decision prior to the meeting. He commended the residents on coming together to uphold their neighborhood. He credited the City Council for adhering to the Master Plan that indicates where commercial uses are appropriate. He supports C-1 zoning, but will not support the mini storage because the project did not deal with the architecture, access and the applicant did not meet with the residents. It is important for a developer to meet with the residents, especially in an area where there is tremendous growth

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 39 [ZON-3976], Item 40 [SUP-3980] and Item 41 [SDR-3979].

NOTE: All discussion for Item 39 [ZON-3976], Item 40 [SUP-3980], and Item 41 [SDR-3979] was held under Item 39 [ZON-3976].

(8:47 – 10:03)

**2-3179**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT RELATED TO ZON-3976 AND SDR-3979 - PUBLIC HEARING - SUP-3980 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED MINI-WAREHOUSE FACILITY adjacent to the southeast corner of Thom Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002) R-E (Residence Estates) Zone, [Proposed: C-1 (Limited Commercial) Zone], Ward 6 (Mack).**

**C.C.: 05/05/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**132**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – DENIED – UNANIMOUS with NIGRO abstaining because Chrysalis Investments, LLC are his tenants**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 39 [ZON-3976] for all related discussion.

(8:47 – 10:03)

**2-3179**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3976 AND SUP-3980 - PUBLIC HEARING - SDR-3979 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED MINI-WAREHOUSE FACILITY on 3.88 acres adjacent to the southeast corner of Thom Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002), R-E (Residence Estates) Zone, [Proposed: C-1 (Limited Commercial) Zone], Ward 6 (Mack).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**132**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – DENIED – UNANIMOUS with NIGRO abstaining because Chrysalis Investments, LLC are his tenants**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 39 [ZON-3976] for all related discussion.

(8:47 – 10:03)

**2-3179**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**REZONING RELATED TO SDR-3997 - PUBLIC HEARING - ZON-3995 -**  
**APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH -** Request for a Rezoning  
**FROM:** U (Undeveloped) [SC (Service Commercial) General Plan Designation] **TO:** C-1  
(Limited Commercial) on 12.50 acres adjacent to the northwest corner of Rainbow Boulevard  
and Westcliff Drive (APN: 138-27-802-001; 138-27-802-004), Ward 2 (L.B. McDonald).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 42 [ZON-3995] and Item 43 [SDR-3997].

DAVID CLAPSADDLE, Planning and Development Department, explained the rezoning to C-1 and the general plan is for Service Commercial. A church is allowed in C-1. He referenced a diagram onscreen and explained that the church will be located on the northern parcel with parking to the south. The not-a-part section will be part of phase two for a future parking

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 42 – ZON-3995

**MINUTES – Continued:**

and church. However, those uses will not be discussed at this time. He informed the Commission that access will be provided by the street to the west and the driveway shown on the diagram on Westcliff Drive will be provided in phase two. The applicant also requested a 1200-square foot temporary modular building for an office. For the site plan, he recommended a three-year required review to ensure that the modular building is removed. In three years, traffic will be assessed and examined to determine the feasibility of phase two progression. He stated the applicant is requesting one waiver of the perimeter landscaping in the parking lot to have one tree per six spaces. The applicant made this request because the parking lot is temporary and will be replaced when phase two is built. During the required three-year review, the landscaping will also be considered and determined whether it should be provided. Staff recommended approval of both applications.

WENDALL MAINS, 10624 South Eastern Avenue, appeared representing the applicant and clarified that the church has limited funds and it is not feasible for them to provide the landscaping at this time. They did agree to put perimeter landscaping as a buffer. He added that on the north side, a trail system will be installed as part of phase two. However, through the City, there is possible grant money where the City may look at extending that trail at this point. He is willing to work with the City and the church does not object. At one point there was to be a park on Bureau of Land Management (BLM) land, but that land will be auctioned in a year. To the south and to the west, a large detention will go in as part of the improvements along the parkway.

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that there is nothing more permanent than a temporary building.

CAMILLE CROSBY, 309 Yard Arm Way, stated she lives at the Coves west of the proposed church. She questioned the number of exits the church would have and the height of the proposed garage. She felt that with one street exit from her residence, should there be an emergency, there would be a safety issue.

JANET WESTERMAN, 320 Yard Arm Way, pointed out that during their homeowners association meeting, discussion was held about the possibility of opening Pindarri Way allowing residents to exit onto the same street as the church is proposing to use for their entrance. She asked if landscaping would be provided to enhance the view from the residences.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 42 – ZON-3995

**MINUTES – Continued:**

TOM MCGOWAN, Las Vegas resident, appeared in support of the church.

DAVID CLAPSADDLE clarified that the parked right-of-way is not part of this application. The access to the church will be by a street that runs along the west side of the bank property and the west side of this property connecting to Westcliff Drive. He indicated that the Site Plan shows a driveway to Westcliff Drive that they could connect to the parking lot. Staff feels that circulation would work better if the applicant were to put the driveway to Westcliff Drive at this point. The applicant is willing to do the driveway to Westcliff Drive, but not until phase two.

MR. MAINS indicated that they had to dedicate 25 feet of right-of-way and currently there is a proposed 15-foot landscaping buffer adjacent to the street that meets the City's requirements for width. Additionally, there is a landscape strip along the west side of the temporary parking adjacent to the bank parking lot. He explained that the church is looking at building a 5,000 seat sanctuary in the future on the 6.5 acres, which used to be ten, but 3.5 acres was taken by BLM when the property was sold and given to Nevada Department of Transportation (NDOT) for right-of-way in that area. The existing 30-year old church is located at Vegas Drive, and looking to move into this new facility.

COMMISSIONER McSWAIN asked the applicant to explain the trail issue. She opined that it would be incumbent upon the person developing the property that they are going to make the trail part of their plan. MR. MAINS indicated that the City approached the owner about how the trails will be placed and that funding may be available. It was not the applicant's intent to do the trails on phase two. There is an extension of the trail system being reviewed at this point. The applicant was asked how he would want the trail to work on the property. At first, it was looked at cutting across between the bank property and the church property, down the center, taking it across the parking area and across driveway cuts along Westcliff Drive. The applicant proposed that the trails go around the property.

MR. CLAPSADDLE verified that there is a condition requiring the construction of the Bonanza Trail. He discussed with COMMISSIONER McSWAIN that Condition 2 be amended to read that the approval is subject to required review in three years by the Planning Commission as a public hearing. The required review is necessary to access the progress of the project, ensure that the trailer is removed, and if the parking lot is still there, determine if the landscaping needs to be done according to the Code. Condition 3 is a standard condition for temporary uses that have to

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
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Item 42 – ZON-3995

**MINUTES – Continued:**

be removed in two years. He further clarified that all the other landscaping meets the standards of the Code. The 15-foot landscape planter on the west side meets the Code and the applicant committed to meeting perimeter code landscaping standards along the north, east and south part of the property. The applicant is only asking for a waiver on the landscaping in the temporary parking lot, which will be reviewed in three years. He reiterated that the applicant is asking that the trail be constructed during phase two.

COMMISSIONER EVANS questioned if the five-level parking garage was being considered today. MR. CLAPSADDLE replied that the proposed condition is that phase two will have to have a separate site plan review by the Planning Commission as a public hearing. The only consideration is for the church on the northern parcel, the parking lot, and possibly the driveway to Westcliff Drive.

COMMISSIONER STEINMAN verified that the access is along the west side of the Bank of America property. It does not seem to be a logical way into this site. It would be easier to come off the parking lot down to Westcliff Drive and have curb cuts. GINA VENGLASS, Public Works Department, added that Public Works is aware of the access issues the church will be facing at the time of the Tenaya Way improvements relating to Summerlin Parkway. There is not a definite solution at this time, but staff is working on that issue. That is the reason why a dedication is being required of the right-of-way along the western border, for the possibility to allow for that unnamed street to continue westbound to Tenaya Way. Additionally, regarding the driveway on Westcliff Drive, it is not required at this time. However, the Commission could require that as a condition. She informed COMMISSIONER STEINMAN that Bank of America has dedicated a 25-foot half street and the applicant will do the same. She clarified that the parcel to the west is BLM land and the City will prepare the right-of-way grant to get the other side of the unnamed street.

MR. MAINS verified with COMMISSIONER STEINMAN that eventually the church will be located on the larger parcel and the temporary will be used as a multi-purpose building. It has been designed to where they could use as a gymnasium in the future. COMMISSIONER STEINMAN opined that the appropriate access would be off the large parcel, especially with the type of traffic anticipated. MR. MAINS reiterated that the applicant is trying to resolve with issues with BLM, NDOT and the City that the applicant was not aware existed. Some of the right-of-ways were granted directly from BLM to NDOT and the City was not part of it. To this date, some areas were never dedicated. It is not financially feasible at this time for the applicant to provide the driveway out onto the street.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
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Item 42 – ZON-3995

**MINUTES – Continued:**

COMMISSIONER DAVENPORT did not have a problem with the proposed access because the only people who would be using it will be church members. He pointed out that the plot map does not depict an easement and asked the applicant if one is there. MR. MAINS responded that it is being worked out. Three and a half acres were taken away from the 6.5 acres and NDOT has complete encapsulation of that and approval is needed from NDOT even to get a right-of-way off of Westcliff Drive. To get utilities into the back piece they need to come along the west side larger acre parcel.

COMMISSIONER NIGRO clarified with MR. MAINS that perimeter landscaping will surround the temporary parking lot.

CHAIRMAN TRUESDELL stated that this is a great location for a church. Westcliff Drive has median breaks. Some other churches, even though they have several accesses, they still overwhelm the streets a couple days a week. This is the third busiest interchange. His concerns are not with postponing the improvements until phase two, but not being able to see the end result. A five-level parking garage in phase two, a 5,000-seat arena, 1,000-seat in phase one, a potential gymnasium, and a 1300 car parking structure could create problems. Westcliff Drive is not designed to carry all this traffic. MR. MAINS countered that the first phase is approximately 600 seats. There is a caveat on the development that during the second phase a traffic study is required. What will help the development is that the unnamed street will be go past the property and turn west and connect to Tenaya Way, which will have an overpass at that point. MR. MAINS further added that Public Works did not require a traffic study for the initial phase.

COMMISSIONER McSWAIN agreed with CHAIRMAN TRUESDELL'S concerns and asked if the church owns the property immediately east of the parking lot. MR. MAINS replied affirmatively. COMMISSIONER McSWAIN asked why the parking area was not designed in a way that ran along the total back into the parcel so that in the event that the congregation did not grow to the point that funding would be available, they would have the option of doing something else with that property toward the front. MR. MAINS replied that they cannot because of a deed restriction on the property that had to do with the sale from BLM to the church. On the back piece there are no restrictions. On the piece to the east of the bank, there is a restriction that only a church can be built on that property.

CHAIRMAN TRUESDELL felt the church is the proper use, but still had concerns about not seeing the entire picture of the entire property.

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Planning and Development Department  
Item 42 – ZON-3995

**MINUTES – Continued:**

MR. CLAPSADDLE suggested adding language to Condition 2 as to a required review in three years.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 42 [ZON-3995] and Item 43 [SDR-3997].

NOTE: All discussion for Item 42 [ZON-3995] and Item 43 [SDR-3997] was held under Item 42 [ZON-3995].

(10:03 – 10:43)

**3-1670**

**CONDITIONS:**

Planning and Development

1. Resolution of Intent with a two-year time limit.
2. Approval of a Site Development Plan Review (SDR-3997) for this site and conformance to conditions of approval for site related actions.

Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for Westcliff Drive prior to the issuance of any permits. In addition, dedicate appropriate right-of-way for a bus stop in accordance with Standard Drawing #234.1 or #234.3. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site.
4. Dedicate 25 feet of right-of-way for the unnamed street along the western border of Assessor's Parcel Number 138-27-802-001, continuous to the north edge of the parcel, including appropriate right-of-way for a knuckle meeting current City Standards prior to the issuance of any permits, unless otherwise allowed by the City Engineer. Coordinate with the Right-of-Way Section of the Department of Public Works prior to the issuance of any permits for this site to determine submittal requirements for a Bureau of Land Management (BLM) application for the west half of the unnamed street and for assistance with the preparation of appropriate dedication documents.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 42 – ZON-3995

**CONDITIONS – Continued:**

5. Coordinate with the Nevada Department of Transportation (NDOT) to determine impacts to this site from the Rainbow Boulevard interchange. If required, obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rainbow Boulevard public right-of-way adjacent to this site, if required. Public Works notes that NDOT has existing Control of Access rights within this parcel that may impact proposed and/or required improvements and dedications along Westcliff Drive.
6. Construct half-street improvements on the unnamed street along the western border of Assessor's Parcel Number 138-27-802-001 including appropriate overpaving, if legally able, concurrent with development of this site.
7. Completion of all incomplete half street improvements on Rainbow Boulevard and required improvements along Westcliff Drive adjacent to this site shall be required at the time of the Three Year Review, unless otherwise determined at that time.
8. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
9. A Traffic Impact Analysis may be required by the Department of Public Works upon development of Phase II of this project. Such requirement will be imposed at the time of the Required Three Year Review, unless otherwise determined at that time. Public Works notes that additional right-of-way dedications in accordance with Standard Drawing #201.1 may be determined necessary at that time.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 42 – ZON-3995

**CONDITIONS – Continued:**

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3995 - PUBLIC HEARING - SDR-3997 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH -**  
 Request for a Site Development Plan Review and a Waiver of the parking lot landscaping standards FOR A PROPOSED 40,649 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A 1,200 SQUARE-FOOT TEMPORARY MODULAR BUILDING on 12.50 acres adjacent to the northwest corner of Rainbow Boulevard and Westcliff Drive (APN: 138-27-802-001; 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [Proposed: C-1 (Limited Commercial) Zone], Ward 2 (McDonald).

**C.C. 06/16/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED** subject to conditions and amending Condition 2 for a required three-year review – **UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 42 [ZON-3995] for all related discussion.

(10:11 – 10:50)

**3-1670**

**CONDITIONS:**

Planning and Development

1. Rezoning (ZON-3995) to C-1 (Limited Commercial) approved by the City Council.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 43 – SDR-3997

**CONDITIONS – Continued:**

2. This approval shall be subject to a required review by the Planning Commission as a public hearing.
3. This site development plan approval shall expire in two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The modular trailer shall be removed in two years from the date of the issuance of a Certificate of Occupancy for the trailer.
5. A Site Development Plan Review application for Phase II of the project shall be submitted and scheduled for hearing by the Planning Commission prior to the issuance of any permits for that part of the project.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop an address plan for the site.
7. The landscaping plan shall be revised to depict the minimum landscaped buffer width and number of trees for perimeter and parking landscaping prior to application for a building permit. The landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened from views of abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wallpack lighting shall utilized shoebox fixtures and downward directed lights on the proposed building.
10. All utility boxes exceeding 27 feet cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20% contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 43 – SDR-3997

**CONDITIONS – Continued:**

12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

13. Provide proof acceptable to the City Engineer that this site has permission to construct a 10 foot trail path, 20 foot wide fire lane and a 25 foot wide driveway across BLM Parcel #138-27-802-006 on the northern side of this site as shown on the submitted site plan. If such proof cannot be provided, an alternative access plan must be submitted for approval by the City Engineer that excludes proposed improvements within said BLM owned parcel. Recorded Joint Access Agreements must be provided, if applicable. This condition must be satisfied prior to the issuance of any permits or the submittal of any construction drawings, whichever may occur first.
14. Provide a copy of a recorded Joint Access Agreement between all parcels that comprise this site prior to the issuance of any permits.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3995 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VARIANCE RELATED TO ZON-3998, SDR-3999 AND WVR-4002 - PUBLIC HEARING - VAR-4001 - APPLICANT/OWNER: JOSEPH & LONNIE NOBLE -** Request for a VARIANCE TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) DISTRICT ON 2.19 ACRES WHERE A MINIMUM OF FIVE ACRES IS REQUIRED adjacent to the south side of Lone Mountain Road, approximately 1020 feet east of Torrey Pines Drive (APN: 138-02-501-008), R-E (Residence Estates) Zone [Proposed: R-PD2 (Residential Planned Development – 2 Units per Acre)], Ward 6 (Mack).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>5</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 44 [VAR-4001], Item 45 [ZON-3998], Item 46 [WVR-4002] and Item 47 [SDR-3999].

GARY LEOBOLD, Planning and Development Department, explained that the applicant explored the possibility of doing a parcel map, but since a public street is not being used to access these lots, it has to be contained in a fifth common lot, thereby driving the process. The Variance is being requested because the R-PD is being applied to a lot smaller than five acres.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 44 – VAR-4001

**MINUTES – Continued:**

The site is 2.19 acres. Despite the small size of the overall site, staff feels that the limited scale of the proposed development will function as a transitional development between the R-1 land to the east and the larger lots, R-E, R-D and some R-1 to the west. The fact that the site is smaller than five acres, should not materially affect the quality of the development that could be expected on an R-PD zone site greater than five acres. There is no open-space requirement, as the number of lots is below twelve. Staff recommended approval of the Variance.

The rezoning request from R-E to R-PD2 conforms to the current general plan use designation of Low Density Residential and will act as a transition in terms of density between the lands to the west and the east. Staff recommended approval. The Title 18 waiver affects two sections, 18.105 and 18.12.130. Title 18.12.105 states that private drives shall have a minimum pavement width of twenty-four feet and limits the length of private drive to 200 feet, and if longer than 150 feet, it has to have a circular turnaround at the end or an emergency access crash gate. The proposed private drive is 25 feet in width and 625 feet in length with an “L” shaped turnaround. It does not meet the conditions. Staff feels the request is acceptable given the fact that there are only four residential lots to be accessed. The potential traffic generation will be minimal, possibly far less than a 200-foot private drive in a dense residential development. Secondly, the City Fire Protection Engineer has agreed with the request, since emergency vehicle turning movements will be safely accommodated, the request is appropriate. Therefore, staff recommended approval.

The Site Plan depicts four single-family custom residential lots. Elevations are not available, as the custom homes have not been designed as yet. The Site Plan is at a density of 1.83 units per acre and conforms to the density maximums of both the General Plan designation of “L: and the proposed rezoning for the site of R-PD2, subject to the approval of the related Variance and the Waivers. The Site Plan as designed, conforms to Title 19, but it lacks perimeter landscaping for the project. The residential guidelines state that a landscaped area is required outside the boundary of the property six feet wide. The applicant has requested the waiver of that requirement. Staff feels that because there is a sufficient area on the site, it can be accommodated. It will require that a homeowners association be formed between the four lots. If the Waiver is denied, the applicant would have to provide a landscape plan or modify the Site Plan to show how landscaping would be placed within the area. Staff recommended approval.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 44 – VAR-4001

**MINUTES – Continued:**

BRIAN PSIODA, 2727 South Rainbow, appeared on behalf of applicant and stated that the applicant wanted to do a four-lot parcel map. It was discovered that the driveway created a fifth lot and the parcel map option was no longer available. After meeting with Planning staff, both parties agreed on the applications being discussed. It falls well within the land plan guidelines. It is approximately 1.69 dwelling units per acre, with over 18,000 thousand square feet lots. They meet or exceed the development standards for the R-1 subdivision to the east and to the south. He explained that map fault lines that go north to south determined the design. The road was placed over the fault line to line up with Windy Hollow. That would be the safest and most direct route. The road would also capture the drainage flow as it flows to the southeast and gathered as quickly as possible and discharging it out to the existing drainage easement. Placing rear yards against rear yards was the most practical planning solution, since a recently approved use permit allowing additional bovine. Direct access onto Lone Mountain with just four lots would be unsafe, and would limit traffic internally.

MR. PSIODA requested that the landscaping buffer along Lone Mountain be waived. He pointed out that the existing wall for High Country is back of the sidewalk, and there is a six-foot wide strip for 150 feet and then the wall departs away from Lone Mountain. The landscaping would be an additional hardship for the property owners in providing water and maintenance. In addition, there is a 10-foot Sprint and Nevada Power Easement extending five feet into that six-foot strip. He also mentioned that on Windy Hollow, the developers anticipate front yards, therefore landscaping along the right-of-way would not be needed. Due to the request to waive the landscape buffer, he asked that Condition 6, 7 and 8 of the Site Development Review be deleted.

LARRY ALLEN, 6225 Minerva Drive, expressed concern about the number of waivers and variances being requested. He represents approximately two-dozen families. He spoke with MR. NOBLE and requested a meeting, but he declined and referred him to BRENT WILSON from VTN Nevada. He was referred to MR. IAN JOHNSON and was unable to have a meeting with anyone. He asked that the items be held in abeyance to allow time for the neighbors to have questions answered and have a meeting with the owner or his representatives.

TODD FARLOW, 240 South 19<sup>th</sup> Street, opined that the Fire Department would like to see the street extended to Lone Mountain with a crash gate.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 44 – VAR-4001

**MINUTES – Continued:**

STEVE CLAUS, 6253 Kraft Avenue, expressed concern about the 600-foot drive. He would not want that street extended to Lone Mountain because it would become a short cut by people who reside to the north. Such an extension would negatively impact the neighborhood. He was also concerned that the applicant might return requesting more waivers and variances.

MICHAEL ABRAMS, 6228 Minerva Drive, concurred with MR. ALLEN'S comments. The residents would like to know the type of homes being developed on this property.

TOM McGOWAN, Las Vegas Resident, encouraged the Commission to find the human interest within the parameters of the rules and regulations they are required to work within.

MR. PSIODA responded to the issue regarding the lack of a neighborhood meeting by confirming that no meeting was held, but all the information was given by telephone. He reiterated that four 18,000-square foot lots would be developed as custom homes. If this property were to be zoned similar to the adjacent property, the applicant would be permitted to have eight units per acre. Regarding the driveway going out to Lone Mountain, the applicant's traffic engineer advised against it. The driveway will never connect to Lone Mountain, but if it does it will be gated. MR. NOBLE has spoken with the Las Vegas Fire Department and a condition was imposed that each of the custom homes must be sprinkled. It also takes care of the 600-foot drive short cut. The project will go to a tentative map stage, then a final map and will be recorded. MR. PSIODA was amenable to a neighborhood meeting before the City Council meeting.

COMMISSIONER McSWAIN commended the applicant on the development of a difficult parcel. Most developers would try to justify extending the density. She pointed out that the waivers are necessary because of the R-PD Variance. She supported the project and felt there is adequate time between Planning Commission and the Council for the developer to meet with the neighbors.

COMMISSIONER NIGRO agreed with COMMISSIONER McSWAIN'S comments. He emphasized that the applicant have a neighborhood meeting before the City Council meeting. He expressed concern about waiving the landscaping requirements.

DAVID CLAPSADDLE, Planning and Development Department, clarified that the properties to the east are zoned R-1 and do not require landscaping. The R-E lots along Lone Mountain

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 44 – VAR-4001

**MINUTES – Continued:**

front Lone Mountain. He suggested that the applicant submit an alternate plan before the City Council meeting. COMMISSIONER NIGRO agreed and requested staff and the applicant discuss a reasonable landscape requirement, given the fact of the easement area. He asked that the same requirement be initiated on Windy Hollow. Since elevations are not available, a custom lot client may want a block wall and not have it be a driveway. MR. PSIODA concurred.

MR. LEOBOLD clarified that the maintenance of the private drive requires a homeowners association.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 44 [VAR-4001], Item 45 [ZON-3998], Item 46 [WVR-4002] and Item 47 [SDR-3999].

NOTE: All discussion for on Item 44 [VAR-4001], Item 45 [ZON-3998], Item 46 [WVR-4002] and Item 47 [SDR-3999] was held under Item 44 [VAR-4001].

(10:50 – 11:15)

**3-3635/4-1**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3998), Title 18 Waiver (WVR-4002) and Site Development Plan Review [SDR-3999].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**REZONING RELATED TO SDR-3999, VAR-4001 AND WVR-4002 - PUBLIC HEARING - ZON-3998 - APPLICANT/OWNER: JOSEPH & LONNIE NOBLE - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 2.19 acres adjacent to the south side of Lone Mountain Road, approximately 1,020 feet east of Torrey Pines Drive (APN: 138-02-501-008), Ward 6 (Mack).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>5</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 44 [VAR-4001] for all related discussion.  
(10:50 – 11:15)  
**3-3635/4-1**

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 45 – ZON-3998

**CONDITIONS – Continued:**

2. Site Development Plan Review (SDR-3999), Variance (VAR-4001) and Title 18 Waiver (WVR-4002) applications approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate appropriate right-of-way for the remaining portion of the Kraft Avenue/Windy Hollow Street knuckle prior to the issuance of any permits.
4. Construct all incomplete half-street improvements on Kraft Avenue, Windy Hollow Street and Lone Mountain Road adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**WAIVER RELATED TO ZON-3998, SDR-3999 AND VAR-4001 - PUBLIC HEARING - WVR-4002 - APPLICANT/OWNER: JOSEPH & LONNIE NOBLE - Request for TITLE 18 WAIVERS TO ALLOW A 625-FOOT LONG PRIVATE DRIVE WHERE 200 FEET IS THE MAXIMUM ALLOWED, AND TO ALLOW A MODIFIED TURN-AROUND WHERE A CIRCULAR TURN-AROUND OR EMERGENCY ACCESS GATE IS REQUIRED adjacent to the south side of Lone Mountain Road, approximately 1,020 feet east of Torrey Pines Drive (APN: 138-02-501-008), R-E (Residence Estates) Zone [Proposed: R-PD2 (Residential Planned Development – 2 Units per Acre)], Ward 6 (Mack).**

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>6</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 44 [VAR-4001] for all related discussion.

(10:50 – 11:15)

3-3635/4-1

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 46 – WVR-4002

**CONDITIONS:**

Planning and Development

1. All development shall conform to Conditions of Approval for Variance (VAR-4001), Rezoning (ZON-3998) and Site Development Plan Review (SDR-3999).
2. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

3. Buildings must be constructed with fire sprinkler systems acceptable to the Department of Fire Services.
4. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3998, Site Development Plan Review SDR-3999 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3998, VAR-4001 AND WVR-4002 - PUBLIC HEARING - SDR-3999 - APPLICANT/OWNER: JOSEPH & LONNIE NOBLE** - Request for a Site Development Plan Review and a Waiver of perimeter landscaping standards FOR A FOUR-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.19 acres adjacent to the south side of Lone Mountain Road, approximately 1,020 feet east of Torrey Pines Drive (APN: 138-02-501-008), R-E (Residence Estates) Zone [Proposed: R-PD2 (Residential Planned Development - 2 Units per Acre)], Ward 6 (Mack).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>5</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED** subject to conditions and an added condition that the applicant meet with the neighbors to show the plans prior to the City Council meeting – **UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

NOTE: See Item 44 [VAR-4001] of all related discussion.

(10:50 – 11:15)

3-3635/4-1

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item WVR- 4002

**CONDITIONS:**

Planning and Development

1. A Rezoning [ZON-3998] to an R-PD2 (Residential Planned Development - 2 Units per Acre) Zoning District, a Waiver (WVR-4002) to certain Title 18 standards and a Variance (VAR-4001) to minimum R-PD site area, approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 14 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect perimeter buffering and landscaping that meets Code requirements.
7. The landscape plan (or a revised site plan showing buffering and landscaping) shall submitted to and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, on the external north and south perimeters of the site.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Air conditioning units shall not be mounted on rooftops.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item – WVR-4002

**CONDITIONS – Continued:**

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. All development shall be in conformance with the site plan and building elevations, date stamped 04/05/04, except as amended by conditions herein.

**Public Works**

16. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3998 and all other subsequent site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 47 – WVR-4002

**CONDITIONS – Continued:**

19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3947 - APPLICANT: JASON AGUIRRE - OWNER: THL, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit and Waivers from the 400-foot distance separation requirement from an existing City Park and the 1,000-foot distance separation requirement from an existing massage establishment **FOR A PROPOSED MASSAGE ESTABLISHMENT** at 2701 Tenaya Way, Suite #100 (APN: 138-15-710-009), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

**C.C.: 05/05/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 5/5/2004**

NOTE: CHAIRMAN TRUESDELL disclosed that his company manages the common landscape element of the Tech Park, but he has no financial interest in any properties of the Tech Park and therefore will vote on this item.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 48 – SUP-3947

**MINUTES – Continued:**

STEVE SWANTON, Planning and Development Department, explained that the massage establishment complies with the standard conditions for a special use permit. The proposed massage establishment is medical related, concentrating in sports injury and accident injuries. Staff recommends approval of the waivers based on the fact that the business is medical related, functioning similar to other medical offices in the area. He pointed out that the 400-foot buffer from the existing massage establishment is on the buffer line, which is also a medical-related facility, even though they have a business license for a massage establishment. Regarding the parking, MR. SWANTON stated that it is not easily accessed from the Tech Center. Therefore, staff recommended approval.

JASON AGUIRRE, 433 Emerald Heights Street, concurred with all conditions.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:11 – 11:13)

**4-871**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Massage Establishment use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** ROBERT S. GENZER

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3969 - APPLICANT: ADVANCE AMERICA, CASH ADVANCE CENTERS OF NEVADA, INC. - OWNER: ROGER ANDERSON** - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED at 5950 West Charleston Boulevard, Suite 110 (APN: 138-36-406-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

**C.C.: 05/05/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**STEINMAN – APPROVED** subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining inasmuch the law firm of Jones Vargas is doing incidental legal work for him at this time

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning and Development Department, explained that the proposed pay loan center is part of a 24,000-square foot center surrounded by other commercial and retail businesses of similar physical character. It is compatible with the General Plan. The nearest financial institution is on the west side of Jones Boulevard and another on the east side. Staff recommended approval because this location is appropriate for an additional financial institution.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 49 – SUP-3969

**MINUTES – Continued:**

ATTORNEY JEFF SILVESTRI, McDonald Carano Law Firm, and ARIEL STERN, Jones Vargas Law Firm, appeared on behalf of applicant. MR. BURNS, a corporate representative, was also present. ATTORNEY SILVESTRI concurred with staff conditions and recommendations.

TODD FARLOW, 240 North 19<sup>th</sup> Street, asked about the status report relating to financial institutions.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:13 – 11:17)

**4-963**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Financial Institution, Specified use.
2. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0006-66(42)].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
6. Site development to comply with all applicable conditions of approval for Z-6-66(42), the Charleston Market Place Commercial Subdivision, and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3972 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: RITA QUAM FAMILY TRUST** - Request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6750 West Sahara Avenue (APN: 163-02-415-012), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

**C.C.: 05/05/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – DENIED – Motion carried with DAVENPORT and EVANS voting No**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning and Development Department, explained that this particular billboard meets all the distance separation of the Code. This area along Sahara Avenue is predominantly commercial and staff does not have a problem with this location. In addition, the parking will not be reduced on the site. Therefore, staff recommended approval.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 50 – SUP-3972

**MINUTES – Continued:**

ANDY BILANZICH, 1464 East Michigan, appeared on behalf of applicant and concurred with staff recommendations and conditions.

TODD FARLOW, 240 North 19<sup>th</sup> Street, did not oppose the billboards, but would like to see them upgraded similar to those on the Chelsea property.

COMMISSIONER McSWAIN stated that she can support billboards off of the freeways and industrial areas, but does not believe this billboard is compatible on Sahara Avenue with the existing retail development.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(11:17 – 11:20)

**4-1078**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3973 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: J.G. SAHARA, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1000 East Sahara Avenue (APN: 162-03-801-116), C-1 (Limited Commercial) Zone, Ward 3 (Reese).**

**C.C.: 05/05/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – DENIED – Motion carried with EVANS voting No**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning and Development Department, stated that there are no residential districts in the immediate vicinity of the site. The proposed location of the sign will be behind the existing building and will hang over the roof in order to be visible from Sahara Avenue. It will not reduce any parking; therefore, staff recommended approval. MR. SWANTON commented that there was a Project of Regional Significance along Sahara Avenue next to the County border. There were no significant issues from the questionnaire conducted, as a result of the Project of Regional Significance.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 51 – SUP-3973

**MINUTES – Continued:**

ANDY BILANZICH, 1464 East Michigan, appeared on behalf of applicant and concurred with staff recommendations and conditions.

MR. SWANTON confirmed for COMMISSIONER STEINMAN that a protest letter was received.

COMMISSIONER McSWAIN reiterated her opinion that billboards distract from the signs put up by retail establishments. She read the protest letter provided in the backup documentation and agreed with the points made by the writer and moved to deny the request.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:20 – 11:24)

**4-2028**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3983 - APPLICANT: SCOTT STROMWALL - OWNER: RAY ST. CLAIR** - Request for a Special Use Permit FOR PROPOSED MOTOR VEHICLE SALES (USED) ON A PARCEL LESS THAN 25,000 SQUARE FEET IN AREA IN CONJUNCTION WITH AN EXISTING MINOR AUTO REPAIR GARAGE at 210 West Wyoming Avenue (APN: 162-04-608-015), M (Industrial) Zone, Ward 1 (Moncrief).

**C.C.: 05/05/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**DAVENPORT – APPROVED** subject to conditions, deleting Conditions 2 and 5 and the following added condition:

- *The Special Use Permit shall expire one year from the date of approval by the City Council.*

– UNANIMOUS

**To be heard by the City Council on 5/5/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning and Development Department, explained that normally this use is conditional in an M (Industrial) zone. The only reason this is before the Commission is because the parcel that it is on is less than 25,000 square feet. Therefore, a Special Use Permit is required.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 52 – SUP-3983

**MINUTES – Continued:**

MR. SWANTON added that the property in question is the western portion of this parcel. The person using the eastern portion of the property would not allow access to that part of the site. A fence and a gate restrict the access. The proposed motor vehicle sales business would share a portion of the subject site with an existing minor auto repair garage. A condition requires ornamental iron fencing as part of the Downtown Centennial Plan requirements. The use is compatible with the intent of the General Plan and the Downtown Centennial Plan, in which mixed uses are allowed. A total of 15 parking spaces are available on the site. The applicant has stated that no more than eight of these spaces will be used for the display of used vehicles. This will be a condition of approval. Staff will work with the applicant on the design for the fence. Staff recommended approval.

SCOTT STROMWALL, 1475 South 7<sup>th</sup> Street, asked that Condition 2 requiring the installation of a decorative fence be waived as he will be sub-leasing this property for only one year and feels this is an undo hardship. He also asked to eliminate Condition 5 requiring him to sell vehicles only five years old and newer. He explained that in eight years, he has never had a complaint or been to court over a vehicle he has sold. MR. STROMWALL feels that this record speaks for his ability to sell cars over five years old that are kept clean and in good running condition.

TODD FARLOW, 240 North 19<sup>th</sup> Street, described the area as in decline and needing more than a chain link fence. He asked that a one-year review be imposed until the applicant can obtain financing.

TOM McGOWAN, Las Vegas resident, agreed with MR. FARLOW'S assessment of the area, but felt this is the appropriate location for this business.

COMMISSIONER McSWAIN did not see any problem with deleting Condition 5. She stated that the Special Use Permit goes with the property and even though the applicant will be there for only a year, somebody else coming in could use it as a used car lot. The property needs to be upgraded and at the very least, the fence installed.

COMMISSIONER DAVENPORT verified with MR. SWANTON that the fence is located along Wyoming Avenue. The applicant would only be responsible for 66 feet.

COMMISSIONER STEINMAN suggested that since the applicant will only be at this site for a year, a condition be imposed for a one-year review and if the applicant remains, the fence requirement would have to be implemented.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 52 – SUP-3983

**MINUTES – Continued:**

COMMISSIONER EVANS concurred with COMMISSIONER STEINMAN, but wanted to ensure that the waiver would last only for one year so that new businesses coming in would make the investment in the decorative fencing. DEPUTY CITY ATTORNEY BRYAN SCOTT recommended that a condition be placed that the use permit shall last only for one year. He explained that should the applicant stay for longer than one year, he would have to re-apply for another use permit. MR. STROMWALL concurred with the proposed condition and indicated that if he did decide to stay longer than one year he would not have a problem improving the property. COMMISSIONER McSWAIN asked if the applicant does not have to come back after a year, how does the City ensure that the applicant complies. DEPUTY CITY ATTORNEY SCOTT replied that the use would expire within one year. MR. CLAPSADDLE explained that there are expiration dates on every use permits. ROBERT GENZER, Director, Planning and Development Department, added that staff will work with the Business License Department to indicate a specific date that the business license will expire.

COMMISSIONER DAVENPORT asked the applicant to clean the debris around the fence, to which MR. STROMWALL concurred.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:24 – 11:35)

**4-1348**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Motor Vehicle Sales (Used) use.
2. Replacement of the chain-link fence at the entrance of the site on Wyoming Avenue with a decorative iron fence as required by Section DS2 of the Downtown Centennial Plan. The site plan shall be amended to include the required decorative fence and shall be approved by Department of Planning and Development Staff prior to the issuance of a building permit. The applicant is encouraged to work with staff to satisfy this requirement.
3. No more than eight vehicles may be displayed for sale on the property at any one time.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 52 – SUP-3983

**CONDITIONS – Continued:**

4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. Vehicles displayed, stored or sold, or exchanged from the subject property shall have been manufactured within the last five (5) model years of the display, storage, sale or exchange date. Customer and employee vehicles, classic or collector vehicles (defined as any motor vehicle, including trucks, that are at least twenty (20) model years old, or any motor vehicle of a defunct make), or any vehicle displayed inside the building shall be exempt from this limitation.
6. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining items or devices shall be displayed upon the subject property or on any vehicle displayed for sale in the parking lot of the subject property.
7. The used car dealership shall not operate on Sundays.
8. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

9. Dedicate a 20-foot radius on the northwest corner of Wyoming Avenue and Fairfield Avenue prior to the issuance of any permits.
10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
11. The entry gates shall be set back a minimum of 18 feet from the back of sidewalk to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. If the entry gates are to remain open during business hours or are electrically automated the gates may be placed on the private property within five feet of where the sidewalk is located. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3938 - APPLICANT: NEWAY CHURCH OF GOD IN CHRIST** - Request for a Site Development Plan Review, Waivers of the Commercial Development Standards to allow a 10-foot front yard setback where 20 feet is the minimum required, a reduction in the amount of required foundation landscaping, and Waivers of the perimeter and parking lot landscaping standards FOR A PROPOSED 4,594 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP on 0.48 acres adjacent to the northeast corner of D Street and Monroe Avenue (APN: 139-27-111-061 and 062), C-2 (General Commercial) Zone, Ward 5 (Weekly).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – ABEYANCE to 5/27/2004 Planning Commission meeting – UNANIMOUS**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning and Development Department, stated that the Church/House of Worship is a permitted use on the C-2 zoning district. The proposed church will replace a similar use on the site that has existed for many years. The area has a mix of residential and commercial uses. The Las Vegas Redevelopment Plan identified the area as appropriate for mixed uses.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 53 – SDR-3938

**MINUTES – Continued:**

The project is inconsistent with the development policies of the City. The parking will not be affected because they are currently using off-site parking for the attendees. Staff is recommending that the on-site parking be completed and the adjacent attached storage building must be removed no later than 90 days after a Certificate of Occupancy for the new church is obtained.

MR. SWANTON added that the applicant is asking for a waiver of the 20-foot setback requirement in C-2 along D Street. They are proposing a 10-foot setback with the justification that there is already a 10-foot sidewalk along D Street. In addition, they are asking for a reduction in the required perimeter landscape buffer width. They are asking for a 10-foot buffer along D Street and a 12-foot buffer along Monroe in order to allow enough space for the building footprint and the parking. The other buffers are in compliance with the code standards. The applicant is also asking for the reduction of the number of trees. There is no justification given for this, but the space limitations prevent the addition of any planters within the parking areas that is over and above what is proposed. There is a waiver of the six-foot foundation landscaping requirement between the parking area and the building. There is also a request to waive the 50-foot separation distance between the trash enclosure and the property line of the residential property across the alley to the north. Staff does not have a problem with this waiver because the residential lot to the north is vacant. The applicant's reason for the trash enclosure waiver is that the site is too small to accommodate the size of the proposed building. Therefore, staff recommended denial of the Waivers and the Site Plan Review. Staff met with the applicant and suggested that they rezone to C-V in an attempt to deal with these waivers or acquiring the property to the east to expand their operation. However, they are choosing to go forward with the application as submitted.

WILLARD DORSEY, 515 Kings Avenue, North Las Vegas, indicated that his representative, who would speak on their behalf, was not present. He stated that the church has outgrown the present facility and that the project is a way to upgrade and beautify the area. He concurred with staff's recommendations and conditions.

TODD FARLOW, 240 North 19<sup>th</sup> Street, asked that the item be held in abeyance until the applicant's representative could be present. The area needs to be cleaned and he would like to see what will become of the property.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 53 – SDR-3938

**MINUTES – Continued:**

TOM McGOWAN, Las Vegas resident, stated that the standards that uniformly apply throughout the City are not necessarily applicable in all circumstances. He asked for reasonable flexibility because of the worthy cause of this project and asked the Commission for approval.

HAROLD DORSEY explained that the new building would be situated to the north of the present building. He discussed some of the waivers being requested. The current building would remain until the new building is complete and would be torn down and the area used for parking.

CHAIRMAN TRUESDELL expressed concern that perhaps the applicant did not understand the significant financial burden associated with the conditions and requirements to comply with them. He wanted to be sure the applicant had a full understanding of the conditions and the impact the conditions would have on the applicant's ability to develop the site. He encouraged an abeyance. COMMISSIONER EVANS concurred with him because there are some serious issues with the site. He would like the applicant's representative make the best presentation.

COMMISSIONER GOYNES asked if the DORSEY'S had a contractor working with them on this process. He suggested an abeyance and offered his assistance in the interim. COMMISSIONER GOYNES asked if maybe the item should be tabled. However, DEPUTY CITY ATTORNEY SCOTT advised that if the item were tabled it would have to be renoticed at the applicant's expense. He recommended that the item be abeyed.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:35 – 11:45)

**4-1805**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4007 - APPLICANT: INTERACTIVE RIDES - OWNER: STRATOSPHERE GAMING CORPORATION** - Request for a Site Development Plan Review FOR A PROPOSED TEN-PASSENGER AMUSEMENT RIDE ("Inverted Centrifuge") ON THE OBSERVATION DECK OF THE STRATOSPHERE TOWER on a portion of 6.29 acres located at 2000 Las Vegas Boulevard South (APN: 162-03-301-016, 162-03-401-001 and 002), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

**C.C. 05/05/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he owns an interest on a property within the notification area and DAVENPORT abstaining because his wife owns property within the notification area**

**This is Final Action**

**MINUTES:**

VICE CHAIRMAN NIGRO declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, ran a video showing the proposed ride and explained this would be a second ride to be added to the top of the Stratosphere Tower on the east side towards the north. She said that this ride would be quiet as there is no track. Staff recommended approval.



PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 54 – SDR-4007

**MINUTES – Continued:**

BOBBY RAY HARRIS, Senior Vice President of the Stratosphere Gaming Corporation introduced CLAY SLADE of Interactive Rides and ROGER FRIEND of Wright Engineering. MR. HARRIS informed the Commissioners that the X-Scream ride provided good, free publicity for the City on CNN, NBC National, FOX National News, newspapers around the world, such as the London Daily Times, the L.A. Times, the Miami Herald, and several magazines. He feels this ride, if approved, would do the same. Acoustically, the proposed ride will not affect the neighborhood. In fact, he personally met with the neighborhood and discussed this project with them. He concurred with staff's recommendations and conditions.

TOM McGOWAN, Las Vegas resident, commended MR. HARRIS on the Stratosphere design calling it sleek and innovative. He feels this ride would not distract traffic below and asked that the Commission approve the proposed ride.

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that although he would never go on this ride, he thinks the Stratosphere is a beautiful structure.

COMMISSIONER EVANS indicated he feels this meets the parameters for a Site Development Plan application and noted that the staff report states the ride has been oriented so that it does not directly face the residential neighborhood and designed to minimize potential impacts on adjacent properties. Contrary to the Review Journal poll, the Stratosphere is one of the most outstanding structures in the entire country. Therefore, he supported this item.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(11:45 – 12:02)

**4-2392**

**CONDITIONS:**

Planning and Development

1. All development shall be in conformance with the site plan and building elevations, date stamped 03/16/ 2004, except as amended by conditions herein.
2. Conformance to all applicable regulatory criteria pertaining to amusement rides.
3. Conformance to all Conditions of Approval of Z-0167-94 and other related applications.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - SDR-3900 - APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: BUREAU OF LAND MANAGEMENT** - Request for a Site Development Plan Review FOR A reservoir, 100' ANTENNA, AND PUMPING STATION on 20.0 acres at the northwest corner of the Elkhorn Road and Alpine Ridge Way alignments (APN: 126-13-401-014), P-D (Planned Development) Zone, Ward 6 (Mack).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** subject to conditions with reducing the height to 50 feet –  
**UNANIMOUS**

**This is Final Action**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development Department, referenced a virtual photograph of the proposed antenna at 50 feet tall instead of 100 feet tall. He explained the array on the top has been narrowed making it less obtrusive. Given the reduced height, staff recommended approval.

SUSAN LeCAVALIER, 1555 South Rainbow, appeared on behalf of the applicant, explained the reduction in height was an agreement between the applicant and staff and concurred with staff's recommendations and conditions.

(11:55 – 12:02)

**4-2869**

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 55 – SDR-3900

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. All outdoor utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. If not previously constructed by the Master Developer this site shall be responsible to construct half-street improvements including appropriate overpaving adjacent to Assessor Parcel Number 126-13-401-014 concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Coordinate with the Right of Way Section of the Department of Public Works and provide all necessary documentation required for submittal to the Bureau of Land Management (BLM) to obtain easements along the perimeter of Assessor Parcel Number 126-13-401-014 and any other parcels needed to enable access paving to Assessor Parcel Number 126-13-401-014. This documentation must be submitted prior to approval of construction drawings for this site.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 55 – SDR-3900

**CONDITIONS – Continued:**

7. Unless constructed or previously guaranteed by the master developer, provide paved, legal access to this site concurrent with development of this site.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - DIR-4106 - CITY OF LAS VEGAS -** Appointment of Planning Commissioners to various Planning Commission sub-committees.

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Appointments made to various Planning Commission sub-committees – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL appointed COMMISSIONERS NIGRO and STEINMAN and to the Centennial Hills Architectural Review Committee with COMMISSIONER GOYNES as an alternate.

For the Downtown Signage Review Committee, COMMISSIONERS EVANS and McSWAIN with COMMISSIONER DAVENPORT and GOYNES being the alternates.

For the Parkway Architectural Review Committee, CHAIRMAN TRUESDELL and COMMISSIONER NIGRO.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 56 – DIR-4106

**MINUTES – Continued:**

For the Downtown Entertainment Overlay District Design Review Committee, COMMISSIONERS GOYNES and McSWAIN with COMMISSIONER DAVENPORT as an alternate.

For the Planning Commission Design Subcommittee, CHAIRMAN TRUESDELL and COMMISSIONER NIGRO.

No appointments were made to the Historic Preservation Commission.

(12:04 – 12:06)

**4-3124**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - TXT-3956 - CITY OF LAS VEGAS - AMEND TITLE 19.18.060 AND 19.18.070 TO ALLOW SPECIAL USE PERMITS TO BE FINAL ACTION AT PLANNING COMMISSION UNLESS APPEALED BY THE APPLICANT OR A CITY COUNCIL MEMBER OR IF THE SPECIAL USE PERMIT IS COMBINED WITH A REZONING OR GENERAL PLAN AMENDMENT AND TO CLARIFY ACCEPTANC OF VARIANCE APPLICATIONS. AMEND TITLE 19.04.010 TABLE 2 LAND USE TABLES TO CHANGE CERTAIN USES FROM REQUIRING A SPECIAL USE PERMIT TO BEING PERMITTED AS A CONDITIONAL USE OR OUTRIGHT.**

**THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED – UNANIMOUS**

**To be forwarded to the City Council in Ordinance Form**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that this item was abeyed from the last meeting. No changes have been made. The title is to simplify the process and allow special use permits to be final action, unless the applicant or the City Council wants the item heard or if it is part of another item. In addition, staff recommended eliminating some of the special use permit requirements as shown on the chart provided in the backup documentation.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 57 – TXT-3956

**MINUTES – Continued:**

COMMISSIONER STEINMAN asked for clarification in the stricken verbiage regarding applications being accepted in order to relieve a hardship. MS. WHEELER explained that the current language is unclear. The requirement is that the Planning Commission or the City Council approve a Variance, unless there are legal findings that can be made. However, that does not disallow staff from accepting an application. An applicant may believe that there is an appropriate hardship. That is not a judgment for staff to be making at the time the application is submitted. The public hearing determines whether or not that hardship exists. The new language clarifies the responsibility of determining whether the hardship would fall to the appointed and elected body.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(12:06 – 12:07)  
**4-3270**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE ITEM - TENTATIVE MAP - TMP-3791 - CONCORDIA @ DEER SPRINGS UNIT 2A - APPLICANT/OWNER: CONCORDIA HOMES NEVADA, INC. - Request for a Tentative Map FOR A 39-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.62 acres adjacent to the north side of the 215 Beltway, approximately 600 feet west of Durango Drive (APN:125-20-301-015), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center) Zone, Ward 6 (Mack).**

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions and replacing Condition 16 with the following:**

16. If not already constructed at the time of development, construct all required offsite sewer to connect with the existing sewer within El Capitan Way. If the sewer line is constructed within the I-215 Beltway right-of-way, obtain a 20-foot wide offsite sanitary sewer easement between its northern right-of-way line and the north edge of the existing drainage facility. This easement may narrow in areas that would produce overlap with the existing flood control facility. Provide a plan to the Department of Public Works for approval prior to submittal of a Final Map for this

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 58 – TMP-3791

**MOTION - Continued:**

*site. Coordinate with Clark County to obtain an Encroachment Permit for all improvements within the Beltway right-of-way. Surface improvements and maintenance shall be as required by the Clark County Public Works Department and shall also meet City of Las Vegas requirements for public sewer access. Provide documentation acceptable to the City Engineer that Clark County agrees to placement of the sewer line within the Beltway right-of-way prior to the approval of construction drawings or the issuance of any permits for this site, whichever may occur first. If the sewer line cannot be placed within the I-215 Beltway right-of-way, obtain a 20-foot wide offsite sanitary sewer easement across the two adjacent parcels to the east to connect with the existing sewer within El Capitan Way, unless an alternative sanitary sewer alignment is accepted by the Collection Systems Planning Section. The sewer line shall be at a location and depth acceptable to the City Engineer. Provide a public sewer stub to the west in the southwest corner of this development.*

– UNANIMOUS

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that staff has been meeting with the applicant for some time regarding this application. There was an issue pertaining to the non-equestrian trail. After meeting with the applicant this evening, they have agreed to all the conditions.

BRIAN PSIODA, 2727 South Rainbow, appeared on behalf of applicant and concurred with staff's amended conditions.

GINA VENGLASS, Public Works Department, acknowledged that a revision was made to Condition 16 as it pertains to the sewer alignment.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:02 – 12:04)

4-2994

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 58 – TMP-3791

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review SDR-2971 and Rezoning ZON-2970.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. A Multi-Use Non-Equestrian Trail shall be constructed along and within the southern boundary of the property in accordance with the Las Vegas 2020 Master Plan Transportation Trails Element. This trail must be depicted on the Final Map.
7. A letter from the appropriate sewer agency stating that service from the existing system of community sewage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
8. A letter from the appropriate water utility stating that it will supply water for domestic and fire protection purposes, the system has the necessary facilities to treat water to meet the standards of the Water Supply Regulations Part I, and that the capacity is available to meet the demands upon the system.
9. Improvement plans must be submitted to the Environmental Health Division of the Clark County Health District for review and approval before the final map can be signed. Include "Finished Floor" elevations and "Sanitary Sewer Manhole" rim elevations on all utility plans to expedite review of the required sewer "Back Water Valves" on the improvement plans.

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 58 – TMP-3791

**CONDITIONS – Continued:**

10. A statement must be provided to the Environmental Health Division of the Clark County Health District that this subdivision is not part of a master plan or the master plan provided.

Public Works

11. Provide pedestrian walkway easements for all sidewalks not located within the public street right-of-way adjacent to public streets.
12. Common Elements “A”, “B”, “C”, “D”, “E”, “F”, “G” and “H” must be defined as private drives offered as public utility easements (P.U.E’s), City of Las Vegas public sewer easements and public drainage easements to be privately maintained by the Homeowner’s Association.
13. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
15. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner’s association or maintenance association for all public drainage not located within existing public street right-of-way.
16. If not already constructed at the time of development, construct all required offsite sewer to connect with the existing sewer within El Capitan Way. If the sewer line is constructed within the I-215 Beltway right-of-way, obtain a 20-foot wide offsite sanitary sewer easement between its northern right-of-way line and the north edge of the existing drainage facility. This easement may narrow in areas that would produce overlap with the existing flood control facility. Provide a plan to the Department of Public Works for approval prior to submittal of a Final Map for this site. The City of Las Vegas will provide maintenance for the sewer line. All construction and maintenance associated

PLANNING COMMISSION MEETING OF APRIL 8, 2004  
Planning and Development Department  
Item 58 – TMP-3791

**CONDITIONS – Continued:**

with required surface improvements for this sewer line shall be the responsibility of the developer and this responsibility shall be transferred to the Homeowner's Association upon project completion. Provide documentation acceptable to the City Engineer that Clark County agrees to placement of the sewer line within the Beltway right-of-way (Encroachment Agreement with unrestricted maintenance access) prior to the approval of construction drawings or the issuance of any permits for this site, whichever may occur first. If the sewer line cannot be placed within the I-215 Beltway right-of-way, obtain a 20-foot wide offsite sanitary sewer easement across the two adjacent parcels to the east to connect with the existing sewer within El Capitan Way. The sewer line shall be at a location and depth acceptable to the City Engineer. Provide a public sewer stub to the west in the southwest corner of this development.

17. Site development to comply with all applicable conditions of approval for ZON-2970, Site Development Plan Review SDR-2971 and all other subsequent site-related actions.
18. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: APRIL 8, 2004**

**CITIZENS PARTICIPATION:**

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

**MINUTES:**

TOM MCGOWAN, Las Vegas resident, indicated that he is a candidate for election as US Senator for the State of Nevada in 2004. He welcomed the newest members of the Planning Commission, COMMISSIONER DAVENPORT and STEINMAN. He also submitted comments regarding the Centennial Celebration for the record.

(12:07 – 12:12)

**4-3415**

TODD FARLOW, 240 North 19<sup>th</sup> Street, reminded the Commissioners to attend the last of the lectures series on Sustainable Architecture on April 14, 2004 at 7:00 p.m. in the architectural study library at UNLV. There will be a reception at 6:00 p.m.

(12:12 – 12:13)

**4-3651**

**MEETING ADJOURNED AT 12:13 A.M.**

Respectfully submitted:

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ANGELA CROLLI, DEPUTY CITY CLERK

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DEENY ARAUJO, DEPUTY CITY CLERK